

001

1 SOUTHCENTRAL ALASKA SUBSISTENCE REGIONAL ADVISORY COUNCIL
2 PUBLIC MEETING
3 Regal Alaskan Hotel
4 Anchorage, Alaska
5 February 6, 1997, 8:00 a.m.
6 VOLUME I

7 Members Present:

8 Roy S. Ewan, Chairman
9 Ralph Lohse, Vice Chairman
10 Fred John, Jr., Secretary
11 Gilbert Dementi
12 Donald Kompkoff, Sr.
13 Benjamin E. Romig
14 Gary V. Oskolkoff
15 Helga Eakon, Coordinator

002

P R O C E E D I N G S

(On record)

CHAIRMAN EWAN: Call the meeting of the Southcentral Alaska Subsistence Regional Advisory Council to order. We'll have roll call. Roll call.

MS. EAKON: Okay, Mr. Chair. Gilbert Dementi.

MR. DEMENTI: Here.

MS. EAKON: Don Kompkoff. Ben Romig. Roy Ewan.

CHAIRMAN EWAN: Here.

MS. EAKON: Gary Oskolkoff.

MR. OSKOLKOFF: Here.

MS. EAKON: Fred John, Jr.

MR. JOHN: Here.

MS. EAKON: Ralph Lohse.

MR. LOHSE: Here.

MS. EAKON: Quorum is established, Mr. Chair.

CHAIRMAN EWAN: Thank you very much. We will start with introductions this morning. I'm Roy Ewan, Chairman of the Southcentral Regional Advisory Council, I'm from Gakona.

We'll start over here with Gilbert and go on around.

MR. DEMENTI: Gilbert Dementi from Cantwell area.

MR. LOHSE: Ralph Lohse from Cordova.

MR. OSKOLKOFF: Gary Oskolkoff from Ninilchik.

MR. JOHN: Fred John, Jr., Mentasta.

CHAIRMAN EWAN: And do we have any Board member here this morning? No. If not, we'll just do introductions the way we normally do. We'll start over here with Helga.

MS. EAKON: Helga Eakon, Regional Council Coordinator.

003

1 MS. MASON: Rachel Mason, Anthropologist.

2
3 MR. WILLIS: Robert Willis, Wildlife Biologist.

4
5 MR. BOYD: I'm Tom Boyd, Fish and Wildlife Service.

6
7 MR. SANDERS: Gary Sanders, Alaska Department of Fish
8 and Game.

9
10 MS. ANDREWS: Good morning, my name is Elizabeth
11 Andrews with the Department of Fish and Game.

12
13 MS. FOX: I'm Peggy Fox with the Bureau of Land
14 Management.

15
16 MR. FULL: I'm Jim Full, I'm with the Department of
17 Fish and Game Subsistence Division.

18
19 MS. HILDEBRAND: I'm Ida Hildebrand, Bureau of Indian
20 Affairs Staff Committee member.

21
22 MR. TWITCHELL: Hollis Twitchell, Denali National Park.

23
24 MR. CHASE: Mark Chase, Kenai Wildlife Refuge.

25
26 MR. BOZ: Greg Boz, Fish and Wildlife Service

27
28 MR. ZEMKE: Steve Zemke, Chugach National Forest.

29
30 MR. HUNTER: Paul Hunter, National Park Service

31
32 MR. ANDREWS: Cyril Andrews, National Park Service.

33
34 MR. COFFEEN: Mike Coffeen, Bureau of Land Management,
35 Glennallen.

36
37 MS. HEARNE: Carol Hearne, intern with the U.S. Forest
38 Department, U.S. Fish and Wildlife Service.

39
40 CHAIRMAN EWAN: Okay. I believe we have other people
41 signing in to testify. All those that want to testify, I want
42 you to know before we start that you should sign in the back,
43 we'd like to have everyone sign in, first of all, and then
44 those that want to testify should tell Michelle at the back
45 table there.

46
47 Before we go any further I'd like to give a special
48 thanks to some people here that we've been working with in the
49 last couple of years. Rachel Mason, Robert Willis. Rachel's
50 been working very hard on c&t determinations, all these

004

1 proposals. Robert Willis for analyzing the wildlife proposals.
2 Helga Eakon who is our coordinator, she's been very helpful to
3 me. And to Carol Hearne, she's new to me, she's an intern
4 here, we want to acknowledge her effort also. And the other
5 person we'd like to thank is Bruce Greenwood, I don't believe
6 he's here today, but he's sure been helpful to this Council
7 over the last few years.

8
9 I believe that's -- as I said, I see we have one more
10 member here, you want to introduce yourself, Ben, we're just
11 doing introductions right now.

12
13 MR. ROMIG: Okay. My name is Ben Romig, I'm from
14 Cooper Landing.

15
16 CHAIRMAN EWAN: With that we'll start on the first item
17 on our agenda, review and adoption of the agenda. Okay. You
18 got the agenda in front of you.

19
20 MR. LOHSE: I make a motion we adopt the agenda.

21
22 CHAIRMAN EWAN: There's a motion to adopt, is there a
23 second?

24
25 MR. OSKOLKOFF: Second.

26
27 CHAIRMAN EWAN: Motion is seconded, any further
28 discussion on the motion. If not, all in favor say aye.

29
30 IN UNISON: Aye.

31
32 CHAIRMAN EWAN: Opposed by the same sign.

33
34 (No opposing responses)

35
36 CHAIRMAN EWAN: Motion is carried. For the record I
37 just talked to Don Kompkoff this morning, he's in town, but he
38 had a tragedy in his family. He said he'd try to make it here
39 for public testimony but he may have to leave, I guess, later
40 today. I believe one of his family members passed away this
41 morning.

42
43 The next item on the agenda is adoption of the minutes
44 from the October 7th and 8th, 1996 public meeting and of the
45 December 12th, 1996 public meeting. We'll do them one at a
46 time, we'll do the October 7th and 8th first.

47
48 MR. LOHSE: Mr. Chair.

49
50 CHAIRMAN EWAN: Yes.

005

1 MR. LOHSE: I move we adopt the October 7th and 8th,
2 1996 minutes of the Southcentral Alaska Subsistence Regional
3 Advisory Council that took place in Glennallen.

4
5 CHAIRMAN EWAN: There's a motion to adopt the minutes
6 of October 7th and 8th, is there a second?

7
8 MR. OSKOLKOFF: Second.

9
10 CHAIRMAN EWAN: Motion is seconded, further discussion
11 on the motion? Do you want time to read them or -- if not,
12 all in favor say aye.

13
14 IN UNISON: Aye.

15
16 CHAIRMAN EWAN: Opposed by the same sign.

17
18 (No opposing responses)

19
20 CHAIRMAN EWAN: Motion is carried. The next minutes if
21 from December 12th, 1996.

22
23 MR. LOHSE: I move we adopt the minutes of the December
24 12th, 1996 public meeting.

25
26 MR. OSKOLKOFF: Second.

27
28 CHAIRMAN EWAN: There's a motion and second to adopt
29 the December 12, 1996 meeting minutes. Any further discussion?
30 If not, all in favor say aye.

31
32 IN UNISON: Aye.

33
34 CHAIRMAN EWAN: Opposed by the same sign.

35
36 (No opposing responses)

37
38 CHAIRMAN EWAN: Motion is carried. Okay. At this time
39 we're going to open the meeting for public comment on Federal
40 Subsistence Management Program. This opportunity will continue
41 throughout the meeting. You have to fill out a form in the
42 back if you wish to speak on any particular proposal. So we'll
43 start with -- Helga, you want me to just go by the list?

44
45 MS. EAKON: Yes, Mr. Chair, you have three people there
46 that signed up to testify, I don't know if they want to speak
47 generally to the program or speak to a particular proposal.

48
49 CHAIRMAN EWAN: Okay. We have Gloria Stickwan, Lonnie
50 Tyone and Phillip Sabon, you want to testify individually or as

006

1 a group or how do you want to do that, Gloria?

2

3 MS. STICKWAN: I'll go first and then.....

4

5 CHAIRMAN EWAN: Okay. Come on up and sit down. State
6 your name for the record.

7

8 MS. STICKWAN: My name is Gloria Stickwan, I work for
9 Copper River Native Association as a Subsistence Coordinator.
10 We're here to give position statement on goat, we want to get
11 c&t, we want to have Proposal 22 amended and speak on the other
12 proposals and the proposals that we submitted.

13

14 MR. KOLASINSKI: Excuse me, Gloria, could you pull that
15 mic a little closer to you. Thank you.

16

17 MS. STICKWAN: I have some maps for them. We wanted to
18 amend Proposal 22 to have customary and traditional use of goat
19 for the seven villages of Ahtna, which are Chistochina,
20 Chitina, Copper Center, Gakona, Gulkana, Mentasta and Tazlina.
21 We want to say the we support Upper Tanana villages for c&t, if
22 they have evidence of c&t of sheep in Unit 11.

23

24 The Ahtna people hunted opportunistically, they took
25 whatever was available. Sheep and goat was customarily used by
26 Ahtna during the fall months, during the months of September
27 and October. The families would go out hunting after the
28 fishing season was done. They hunted goats in the mountains,
29 the Ahtna men, women and children would go goat hunting taking
30 their dog packs along with them.

31

32 They hunted with bow and arrows, they would get near
33 the goat and with their arrows they would kill the goat. The
34 goat was cut and skinned and the meat was eaten there and packed
35 back to their village and it was dried. The fur was used to
36 make moccasins, mittens, coats, vests and bedding. The hoofs
37 or the feet of the goat was used to make combs so the Ahtna
38 would use that to comb their hair with.

39

40 These maps show where the sheep was hunted. I didn't
41 have time to do a map for goat, but we're saying that where
42 they hunted sheep they also hunted goat in these areas as well.
43 They didn't just hunt for one species, they took what was
44 available. These show where they hunted sheep as well as goat.

45

46 The eight factors of the c&t that they use this
47 historically. Today there are not many people who do hunt goat
48 because it's inaccessible. Historically the people lived in
49 the areas where they could get to the goat, they walked to
50 those areas, but today we've been forced to settle down in

007

1 permanent places and communities. We know the Ahtna people no
2 longer make the seasonal rounds of traveling to their different
3 areas, so that's one of the reasons why they no longer hunt
4 goat as they do. They are a few people who still do hunt sheep
5 and they do try to get a goat when they do.

6
7 Ahtna people take their kids out hunting, fishing,
8 that's how they teach them how to continue our subsistence
9 lifestyle. While they're out there they talk to them about the
10 historical times of when hunted, fished. We have an Ahtna
11 Cultural Camp each summer that's held by Ahtna Heritage, they
12 teach the Ahtna culture during that time at that camp.

13
14 CRNA has a subsistence program, we gather data and we
15 keep these for our records and for the young people, these
16 cassette tapes and videotapes are for the young people, the
17 Ahtna people to listen to if they want to learn their Ahtna
18 culture, so that's how we hand down our knowledge to the young
19 people.

20
21 Ahtna people share whatever they have, all meat, you've
22 heard that before. We rely on a wide diversity of resources
23 because that's how we live.

24
25 I want to speak on Proposal 23. We would to submit a
26 brown bear proposal at a later date for c&t. Proposal 24, we
27 ask that you keep the existing regulation for Unit 11 caribou.
28 the existing one that was passed last year is that we had c&t
29 for elders, a 15 permit, we'd like to keep it that way. I have
30 copies of our position statement I wanted to give to them. For
31 Proposal 24 we support Upper Tanana villages that have c&t. We
32 oppose Proposal 24A, B, C, D, G, and H.

33
34 We support Proposal 24B and we want to make 24E to
35 include Dot Lake. Amend 24F to include the Ahtna villages for
36 Unit 12. If the people from the Upper Tanana villages can get
37 -- if you pass it, they can get to hunt Nelchina herd, then we
38 should be able to hunt in Unit 12.

39
40 In Proposal 25, we oppose 25A, B, D, E, F, G and H. We
41 support Proposal 25C. Proposal 25F is opposed because there
42 isn't enough information in that proposal right now. We saw
43 that some villages were left out and we think they should be
44 included.

45
46 Proposal 68, we'd like to have that for the Ahtna
47 villages, the season, for August 10th through October 20th, we
48 want to keep the regular season of August 10th through
49 September 20 for the other rural hunters.

50

008

1 Proposal 26, we oppose 26A, B, C and D. Proposal 27 we
2 support. Proposal 28, we want to have that amended to have an
3 open season and to have limited entry permit. Proposal 29, we
4 want to have an open season and to have a limited entry permit.
5 Proposal 30 we support. We support Proposal 31 and we oppose
6 Proposal 32.

7

8 That's all I have.

9

10 CHAIRMAN EWAN: Are there any questions or comments? I
11 don't think we all have a copy of what -- all the proposals.

12

13 MS. EAKON: Mr. Chair, copies are being Xeroxed at the
14 moment and when they're available we will distribute them.

15

16 CHAIRMAN EWAN: All right. Thank you. Did you want
17 the other people to testify on these proposals?

18

19 MS. STICKWAN: Yes.

20

21 CHAIRMAN EWAN: All right. We'll ask the next person
22 to -- go ahead, Ralph.

23

24 MR. LOHSE: Gloria, did I misunderstand you, did you
25 say 68?

26

27 MS. STICKWAN: Proposal 68.

28

29 MR. LOHSE: Yeah, did you say something about 68?

30

31 MS. STICKWAN: Yes, I did.

32

33 MR. LOHSE: All right. Then I have it right, thank
34 you.

35

36 CHAIRMAN EWAN: Okay. The next person will be either
37 Phillip or Lonnie Tyone. I don't know which one is next.
38 Phillip Sabon.

39

40 MR. SABON: My name is Phillip Sabon, Ahtna.

41

42 CHAIRMAN EWAN: Good morning, Phillip. Yeah, try to
43 get close that mic so we can hear you, okay?

44

45 MR. SABON: I tell you Ahtna people used to hunt goat
46 on September and October month after fishing season. They food
47 in mountain area. Ahtna man and woman and children used to
48 walk to good hunting area with dog pack and goat was hunt with
49 bow and arrow. And the goat was load, cart up the mountain and
50 he killed sheep and they hunt near the goat too, they walk with

009

1 bow and arrow. And goat was cut and skinned and we ate dry for
2 use. And use it for mitts and bedding for (indiscernible) and
3 hope to use it for comb. They make comb out of it, they boil
4 it and the make comb.

5

6 CHAIRMAN EWAN: Thank you, Phillip. I just want the
7 Council members and audience to know I've known Phillip most of
8 my life, he's from Copper Center and he lived in Unit 11 that
9 we're talking about. He lived on that side of the river, he's
10 very familiar with what he's talking about goats and sheep. I
11 thank you very much. Are there any questions, comments?

12

13 Ralph.

14

15 MR. LOHSE: Yeah, I just was wondering why -- you know,
16 I was looking in the Proposal 22 and I was just wondering why
17 Chitina wasn't included in that.

18

19 CHAIRMAN EWAN: Gloria, do you know why?

20

21 MS. STICKWAN: In the proposal that was written?

22

23 MR. LOHSE: Yeah, in the proposal that's written.

24

25 CHAIRMAN EWAN: Why was Chitina left out?

26

27 MS. STICKWAN: We didn't write that proposal, we're
28 just asking for an amendment (indiscernible - away from
29 microphone).....

30

31 MR. LOHSE: Okay. Thank you, Gloria.

32

33 CHAIRMAN EWAN: Further on, in comments, we will talk
34 about that. I believe Fred and I have some comments on that.
35 Thank you, Phillip. Lonnie Tyone.

36

37 MR. TYONE: My name is Lonnie Tyone from Gulkana
38 Village. I'm here to testify and not only that but to get
39 involved with this Native -- my ways, our ways, and I want
40 everyone to kind of look at Proposal 29, but I don't know too
41 much about Proposal 22, but I do know that we -- from learning
42 about our people that they did use that as a -- when the
43 hunting (sic) season was over, like Phillip was saying, that
44 they took advantage of goat and sheep many years ago.

45

46 But Proposal 29, as I was looking at that I really
47 thought that I want to really speak on that one there. It's
48 involving moose and I want to read something here, if I can, is
49 that okay?

50

0010

1 CHAIRMAN EWAN: Sure.

2

3 MR. TYONE: The reason we're changing on this one here
4 it says: The elders who reside within the village have the
5 longest customary traditional use history of all the users
6 within Unit 13, ought to be given priority over all other
7 subsistence users. You know, I've been kind of torn apart
8 because of the elders never not really getting their share of
9 moose and they're being left out. And, you know, I think
10 they're probably getting too old to get around to do things, so
11 I really wanted to make emphasis on this proposal here.

12

13 It says: special permit quota to be established for
14 elders of the communities of Cantwell, Chistochina, Chitina,
15 Gakona, Gulkana, Mentasta and Tazlina. Quota will be
16 administered by appropriate village councils. Individual must
17 possess village resolution, a certificate of Indian blood, a
18 copy of Alaska permanent hunting license and if so desired the
19 name of a designated hunter.

20

21 And I just wanted to mention that and that's about it.

22

23 CHAIRMAN EWAN: Thank you, Lonnie. I'm not sure I
24 heard what you propose to change here. You said you want to
25 change something.

26

27 MR. TYONE: Do you have -- Gloria, do you have.....

28

29 MS. STICKWAN: (Indiscernible - away from microphone)

30

31 CHAIRMAN EWAN: You got to come to the mic so we can
32 hear you.

33

34 MR. TYONE: I don't know what the -- how it was before,
35 but I see the changes and I like the change here on here. She
36 has.....

37

38 MS. STICKWAN: We wanted to have an open season for our
39 elders and to have a limited entry permit. Right now the way
40 the proposal is written it's a quota.

41

42 CHAIRMAN EWAN: Open season all year?

43

44 MS. STICKWAN: Yeah, it's a limited entry permit and we
45 wanted this for caribou and moose for our elders. We don't
46 believe this will affect the population because there is not
47 that many elders in our area.

48

49 CHAIRMAN EWAN: All right. Any questions or comments?

50

0011

1 MR. LOHSE: That answered one of the questions that I
2 had right there, because I was trying to figure out how you
3 could accomplish it during the regular season and you can't.
4 You'd have to have it either before or after.

5
6 MS. STICKWAN: We'd be willing to have it earlier. At
7 a later date the moose may not be as good.

8
9 MR. LOHSE: Yeah. Or after, but you couldn't do it
10 during the regular season because there just would be no way to
11 have a quota during a regular season.

12
13 We'll be discussing this later, won't we?

14
15 CHAIRMAN EWAN: Yeah, we're on all the proposal so if
16 you have any comments or questions that will be fine.

17
18 MR. LOHSE: Thank you.

19
20 CHAIRMAN EWAN: I believe we don't have any questions
21 right now. We'll be discussing these proposals later on.
22 Helga.

23
24 (Off record comments - whispering)

25
26 CHAIRMAN EWAN: All right. Are there any other people
27 that want to testify this morning? If not, I would like to
28 take just a brief moment here to recognize someone here that we
29 want to thank for his individual efforts. We all know that
30 everyone at Fish and Wildlife Service and other Federal
31 agencies have put in a lot of time and effort in the process
32 that we have to go through throughout the year but we, the
33 Council, would like to give special thanks to an individual,
34 that person is Taylor Brelsford.

35
36 Taylor, this is a certificate of appreciation in
37 recognition of your outstanding contribution to Southcentral
38 Regional Advisory Council from 1993 through 1996.
39 Congratulations.

40
41 (Applause)

42
43 CHAIRMAN EWAN: Taylor, did you want to say anything?

44
45 MR. BRELSFORD: I think I'm as close to speechless as I
46 ever get. I'm deeply honored by this. I feel like it's been a
47 tremendous privilege to work with this Council. Some of the
48 toughest issues, some of the greatest diligence trying to solve
49 problems that count for a lot of people. You guys have been
50 the stars and it's been just really a great pleasure in my

0012

1 whole career to see the kind of care that this Council brings
2 to the table. And if you all feel like I've contributed to
3 that I have to say I'm really very honored, I thank you very
4 much.

5
6 CHAIRMAN EWAN: Thank you, Taylor. I believe I
7 expressed what we wanted to acknowledge and that's your
8 contribution, your help, we are real thankful for the years.

9
10 What's next on the agenda? Go through the individual
11 proposals? Okay. We're going to go to the proposals now.
12 We'll go down the proposals. We'll begin with Proposal Number
13 18. We'll ask Rachel Mason to make comments now on Proposal
14 18.

15
16 Ralph.

17
18 MR. LOHSE: Helga, correct me if I'm wrong, but I was
19 under the impression that Forest Service had withdrawn this
20 proposal and placed it on the docket to be submitted by
21 somebody who was from the area.

22
23 MS. EAKON: Mr. Lohse, you're right. Proposal 18A was
24 withdrawn, so the focus of Rachel's presentation is going to be
25 on Proposal 18B in your book, on Page 3, under Tab B. This is
26 Unit 7 moose.

27
28 MS. MASON: Thank you, Mr. Chairman. I hope that the
29 Council will indulge us for a moment while we fine tune the
30 overhead and I think for the future proposals in which I have a
31 number of overheads I'm going to have to work out something
32 else whereby somebody puts up the map for me.

33
34 This proposal is divided into two portions, 18A and
35 18B, and 18A was withdrawn by the Forest Service. The portion
36 that was left was 18B and that was the proposal that was
37 submitted by the Chenega Bay IRA Council. This portion of 18
38 deals only with the Kings Bay and Day Harbor of the area and
39 Kings Bay, as you can see is almost all in Unit 6. There is a
40 portion of the use area that is in Unit 7, but rather than
41 consider all of Unit 6 or 7 because the proposal dealt only
42 with these particular bays, we analyzed the proposal only for
43 Kings Bay and Day Harbor.

44
45 The proposal was for a c&t for moose in those two areas
46 and it's based on oral history that residents of Chenega Bay
47 and Tatitlek have used those places for hunting. Our
48 recommendation was to support the positive c&t use of Kings Bay
49 for the residents of Chenega Bay and Tatitlek but not to
50 support the Day Harbor portion of the proposal.

0013

1 And the justification for that is that there is very
2 good evidence from oral history and also from ADF&G Division of
3 Subsistence studies from dealing with moose hunting in the '60s
4 through the '80s that residents of Chenega Bay and Tatitlek
5 have used Kings Bay for moose hunting every since the 1960s.
6 And I spoke to several hunters who recalled from the '60s moose
7 being seen or taken in Kings Bay. It was normally incidental
8 to other activities, such as seal hunting or commercial
9 fishing. At the same time there was no indication that Day
10 Harbor was used for moose hunting and two of the residents I
11 spoke to specifically denied such use.

12

13 So the recommendation again was to support only the
14 Kings Bay portion. That concludes my presentation. Yes.

15

16 MR. LOHSE: Rachel, do you have a map that show us Day
17 Harbor?

18

19 MS. MASON: I don't have one here, it's most easily
20 found by (indiscernible - away from microphone) -- yeah, Day
21 Harbor is closer to Seward -- let's see.....

22

23 (Milling around room trying to set up map - various voices)

24

25 MR. LOHSE: Day Harbor is in Unit 7, it's not in Unit
26 6, right?

27

28 MS. MASON: Yes, it is.

29

30 MR. ZEMKE: Kings Bay is also in Unit 7.

31

32 MR. LOHSE: Well, it hits Unit 7.

33

34 MR. ZEMKE: Yeah.

35

36 MR. LOHSE: Yeah.

37

38 MR. ZEMKE: In fact, Day Harbor is this one right here,
39 in fact very little of it is on Federal, it's mostly State
40 land.

41

42 MR. LOHSE: That's what I thought, yeah.

43

44 MR. ZEMKE: There's a little bit upper watershed that
45 pretty much glacial rocks.

46

47 MR. LOHSE: Okay.

48

49 CHAIRMAN EWAN: Any questions or comment?

50

0014

1 MR. LOHSE: Well, I know that I've talked to one of the
2 persons, these people from Chenega, they have in times past,
3 had the occasional moose taken in Kings Bay. It wasn't a very
4 regular thing because it's not regular there's moose there, but
5 they have taken moose in that area.

6
7 CHAIRMAN EWAN: I guess that's it then if there's no
8 question. Thank you, Rachel.

9
10 Helga, we have any written public comments?

11
12 MS. EAKON: Yes, Mr. Chair, we received one comment on
13 Proposal 18B and that was from the Alaska Department of Fish
14 and Game. I guess when their turn comes to make their comments
15 they will state their position. They did say that Department
16 documentation shows no evidence that either Tatitlek or Chenega
17 Bay has used the Day Harbor area for harvesting moose or other
18 resources.

19
20 CHAIRMAN EWAN: That is it?

21
22 MS. EAKON: Um-hum (Affirmative).

23
24 CHAIRMAN EWAN: All right. Any agency comments here?

25
26 MS. ANDREWS: Thank you, Mr. Chairman. My name is
27 Elizabeth Andrews, Alaska Department of Fish and Game and for
28 your information, Council members, I'll be coming up
29 periodically to answer any questions on the State comments, if
30 you have them, and if I can answer them. And basically Helga
31 just mentioned what our comments were, which sounds like it
32 concurs with what your staff recommendation here is.

33
34 We haven't had an opportunity to analyze the other
35 information in the documents here so we may have other comments
36 when we get to the Federal Board, but it seems that it concurs
37 that there hasn't been any evidence of the use of Day Harbor
38 shown either from our studies or subsequent information brought
39 forward by the Fish and Wildlife Service. Thank you.

40
41 CHAIRMAN EWAN: All right. Any other agency comments?
42 If not, we'll get into the Council discussions then.

43
44 MR. LOHSE: I make a motion to put it on the table.

45
46 CHAIRMAN EWAN: There's a motion to adopt Proposal 18B,
47 is there a second?

48
49 MR. ROMIG: I'll second it.

50

0015

1 CHAIRMAN EWAN: There's a motion and second, Ben Romig
2 seconded the motion, any further discussion on the motion?

3
4 MR. ROMIG: Can we amend it to eliminate Day Harbor?

5
6 CHAIRMAN EWAN: Could you.....

7
8 MR. ROMIG: Yeah, at this time could we amend it? I'd
9 like to amend it to delete Day Harbor.

10
11 CHAIRMAN EWAN: There's a motion to amend the proposal
12 to eliminate Day Harbor. Just some comments, I really feel,
13 you know, at a loss when I'm talking about an area that I'm not
14 that familiar with so I would like to have those people on the
15 Council that are familiar with this to make comments and kind
16 of give us some background on what they thing -- I know Don
17 Kompkoff should have been here to comment, I believe he
18 supports this proposal. It's open to comments or questions
19 from the Council.

20
21 Ralph.

22
23 MR. LOHSE: I'll second Ben Romig's amendment, but I
24 would suggest that we maybe table this one until Don gets here.

25
26 CHAIRMAN EWAN: Until Don gets here.

27
28 MR. LOHSE: Yeah.

29
30 CHAIRMAN EWAN: Is there objection to doing that?

31
32 MS. EAKON: Mr. Chair, I did speak to Don recently and
33 he did have public testimony from his area that he wanted to
34 share regarding this proposal.

35
36 CHAIRMAN EWAN: I believe Don is here.

37
38 MS. EAKON: Good timing, he's here.

39
40 CHAIRMAN EWAN: Could we take a five minute break?

41
42 MR. LOHSE: Let's do it.

43
44 (Off record)

45
46 (On record)

47
48 CHAIRMAN EWAN: I'll call the meeting back to order.
49 We're on Proposal 18B which for the record has been amended to
50 exclude Day Harbor. And I believe I overlooked one step that

0016

1 we're supposed to go through here in these proposals and that
2 is for public comment from the floor on this proposal, 18B.
3 Are there any public comments at this time? If not, Don.

4
5 MR. KOMPKOFF: Yeah, Mr. Chairman, I'd like to speak on
6 behalf of Chenega and Tatitlek. After speaking with several
7 elders in Chenega Bay I have testimony from Charlie Salarnof
8 (ph) there. They hunted goat over in Day Harbor and sometimes
9 they'd get lucky and get a moose going out in the springtime.
10 And the name of the Day Harbor in Aleut is Guniak (ph) they
11 call it, and that's where they used to go in the springtime to
12 hunt.

13
14 And I have also some people from -- my brother, Joe,
15 passed on, he told me that the hunted moose between the tunnels
16 of going to Whittier to Anchorage and that was -- they put the
17 moose on the train and bring it to Whittier for them and the
18 guides would stop there and pick up the moose and bring them to
19 Whittier. And Bud Hall from Whittier and my brother told me
20 that he used -- they used to go over there and get a
21 subsistence moose once in a while when he was living in
22 Chenega.

23
24 And in Unit 6(B) on Kings Bay they have several moose
25 hunts over there, if I could show you on the map. And
26 everybody thought it was Unit 6(D) so we used to hunt in there,
27 color in the black area there, Kings Bay, and we thought that
28 was Unit 6 where it comes down, we hunted in there and have
29 hunted about seven moose taken from there from Chenega.

30
31 CHAIRMAN EWAN: Is that it?

32
33 MR. KOMPKOFF: Yes.

34
35 CHAIRMAN EWAN: For the record, you know, Don, this
36 proposal was amended to exclude the Day Harbor, but you're --
37 that's the first thing we'll be voting on, so you're speaking
38 against the amendment; is that correct?

39
40 MR. KOMPKOFF: Yes.

41
42 CHAIRMAN EWAN: Any other comments or questions? Bob.

43
44 MR. WILLIS: Roy, if I could add something here it
45 might be of benefit. In investigating the Subpart D for part
46 of this proposal that we'll talk about later on, I did some
47 measuring on the map and the nearest Federal land to any part
48 of Day Harbor is nine miles away and it's all mountain top and
49 glacier, not moose habitat, so no doubt people have hunted
50 moose in that area before when they were hunting goats and so

0017

1 forth, but there's simply no Federal land with any moose on it
2 within reach of Day Harbor.

3

4 MR. KOMPKOFF: Correction.

5

6 MR. WILLIS: Yes, Don.

7

8 MR. KOMPKOFF: I know where there's moose in Day Harbor
9 and I could take you over there right now today and get you one
10 if you wanted one.

11

12 MR. WILLIS: I'm sure there are moose in Day Harbor but
13 they're not on Federal Land, Don. The nearest Federal land is
14 nine miles from the coast. And I doubt -- you didn't go nine
15 mile in and try to hunt moose, did you?

16

17 MR. KOMPKOFF: Negative.

18

19 MR. WILLIS: That would be a pretty tough hike and when
20 you got nine miles in you'd be up on top of the glaciers and
21 the mountains, that was my point.

22

23 MR. KOMPKOFF: Right.

24

25 CHAIRMAN EWAN: Ben, you have a comment on that on why
26 you're.....

27

28 MR. ROMIG: Well, that was really why -- the only
29 reason I made the amendment, it sounded like, you know, there
30 wasn't any Federal public lands in Day Harbor.

31

32 CHAIRMAN EWAN: Okay. Could somebody show us where the
33 Federal and State land are there, the boundaries?

34

35 MS. MASON: Maybe I could ask Steve Zemke to come up
36 here again. This is a real bad map here, that one is better up
37 there.

38

39 MR. ZEMKE: If you have your regulation book, Page 46.

40

41 CHAIRMAN EWAN: How about the other map here that we
42 have like this, would that show it up.

43

44 MR. WILLIS: I think this will help you out a little
45 bit.

46

47 MR. ZEMKE: That will show it also.

48

49 CHAIRMAN EWAN: Where again are we talking about?

50

0018

1 MR. ZEMKE: Day Harbor is the next big harbor over from
2 Resurrection Bay.

3
4 (Off record comments - trying to find Day Harbor on map)

5
6 CHAIRMAN EWAN: Okay. If we can all get back in our
7 chairs and get back to the discussion. This is on the
8 amendment to exclude Day Harbor. My understanding is this area
9 is all State lands. Bob, you say it's about nine miles back to
10 the Federal lands.

11
12 MR. WILLIS: That's correct, Roy, as I measured on the
13 map it's nine mile from the closest point to Federal land and
14 that takes you back up into the mountain tops and the glaciers.

15
16 CHAIRMAN EWAN: Does that change your comment about
17 that, including Day Harbor?

18
19 MR. KOMPKOFF: Yeah, it was probably State land where
20 we were hunting.

21
22 CHAIRMAN EWAN: So you'll go along with the amendment
23 then.

24
25 MR. KOMPKOFF: Yes.

26
27 CHAIRMAN EWAN: Any further discussion on the amendment
28 to the proposal? Okay. Are we ready to vote on the amendment?

29
30 MR. OSKOLKOFF: Question.

31
32 CHAIRMAN EWAN: Question is called for. All in favor
33 of the amendment to exclude Day Harbor from this proposal say
34 aye.

35
36 IN UNISON: Aye.

37
38 CHAIRMAN EWAN: Opposed by the same sign.

39
40 (No opposing responses)

41
42 CHAIRMAN EWAN: Motion is carried. On the main motion
43 then, any further comments, questions or -- you're done with
44 the comment on this.

45
46 MR. KOMPKOFF: Yes.

47
48 MR. LOHSE: Call the question.

49
50 CHAIRMAN EWAN: Okay. Ready to vote on the main motion

0019

1 then. All in favor say aye.

2

3 IN UNISON: Aye.

4

5 CHAIRMAN EWAN: Opposed by the same sign.

6

7 (No opposing responses)

8

9 CHAIRMAN EWAN: Motion is carried. Proposal 18B as
10 amended has been adopted. The next proposal is 19, this is
11 Unit 6 moose, to provide for ceremonial harvest. Rachel.

12

13 MS. MASON: Thank you, Mr. Chairman. This proposal you
14 can find on Page 11 of your booklet. Proposal 19 was submitted
15 by the Eyak Tribal Council and it would allow the Native
16 Village of Eyak to take on bull moose from Unit 6(C) for the
17 purpose of their annual Sobriety Day Celebration and Memorial
18 Potlatch and the harvest would take place in November and
19 December.

20

21 Currently there is a negative customary and traditional
22 determination for moose in Unit 6 and there's no Federal open
23 season. Upon discussion with the proponent we determined that
24 the Federal Subsistence Board cannot authorize the ceremonial
25 harvest of an animal unless there is a positive customary and
26 traditional determination for that species in the unit in
27 question. So after we discussed this issue with the proponent
28 the Eyak Tribal Council decided to defer their request until
29 August 1997 and at that time the Eyak Tribal Council would
30 submit both a request for a positive c&t and a request for the
31 harvest of an animal for the purposes of this ceremony. So our
32 conclusion was to recommend deferring this proposal.

33

34 CHAIRMAN EWAN: All right. Any questions or comments
35 on this?

36

37 MR. LOHSE: I make a motion to that effect.

38

39 CHAIRMAN EWAN: I guess we got through this process
40 yet, right.

41

42 MS. MASON: I think we need the Council to defer.

43

44 MS. EAKON: You need to still follow the.....

45

46 CHAIRMAN EWAN: Yeah, we'd like to follow -- are you
47 done, Rachel?

48

49 MS. MASON: Yes, I am.

50

0020

1 CHAIRMAN EWAN: All right. We'll go on to the written
2 public comments, Helga.

3
4 MS. EAKON: Yes, Mr. Chairman, the program received two
5 comments on Proposal 19. The first was from the Alaska
6 Department of Fish and Game and they were deferring their final
7 comments, which I guess Ms. Andrews is going to present
8 shortly. And I think I'm going to leave it to her to present
9 the rationale for their comments.

10
11 The second comment we received was from the Copper
12 River Prince William Sound Fish and Game Advisory Committee in
13 Cordova and they said: We are concerned about the potential
14 impacts of this proposal as it upsets and divides the
15 community.

16
17 End of comments.

18
19 CHAIRMAN EWAN: I want to be sure I heard that last
20 sentence there, can you repeat that?

21
22 MS. EAKON: Yes. They said: We are concerned about
23 the potential impacts of this proposal as it upsets and divides
24 the community.

25
26 CHAIRMAN EWAN: Next open the floor for public comment
27 on this proposal. Okay, if there's no comments from the public
28 then we'll have agency comments.

29
30 MS. ANDREWS: Thank you, Mr. Chairman, Elizabeth
31 Andrews, Department of Fish and Game. Just a couple of things
32 we wanted to point out, even if you do take action at a later
33 date on this. The State of Alaska already provides for
34 certain religious ceremonies, such as Memorial Potlatches,
35 under the State regulations, so you might want to take some of
36 that information back to the community that is requesting this.

37
38 And should the Council and the Federal Board decide to
39 consider this at a later time, we would prefer that there would
40 be a regulation adopted similar to the State's regulation that
41 allows for taking for ceremonial purposes. We also would like
42 to mention that with regard to non-religious ceremonies we're
43 not sure it's a legitimate subsistence use under ANILCA, so
44 that might have to be looked into a little bit more. But I did
45 want to emphasize that the State of Alaska does have a
46 regulation that provides for religious ceremonies.

47
48 Thank you, Mr. Chair.

49
50 CHAIRMAN EWAN: Any questions or comments? I have a

0021

1 question -- really not a question, just like you to -- I guess
2 it is a question. I'd just like you to kind of give me an idea
3 of what the State say about the ceremonial, what do you call
4 it, the moose taking, what does the regulation say there for
5 that?

6
7 MS. ANDREWS: Mr. Chair, I didn't bring the exact
8 language, we could look that up and report back to you, but
9 it's for big game for certain religious ceremonies. And they
10 just need to meet certain criteria to determine that, in fact,
11 it has been used for religious ceremony. There's a reporting
12 requirement after the take. Those are kind of the key
13 features.

14
15 CHAIRMAN EWAN: It's statewide, right?

16
17 MS. ANDREWS: It's statewide.

18
19 CHAIRMAN EWAN: And case by case basis? You have to
20 apply for it? The process.....

21
22 MS. ANDREWS: You don't have to apply in advance,
23 there's a reporting requirement afterwards.

24
25 CHAIRMAN EWAN: Then the other part of your comment was
26 that you want to maybe leave out this sobriety as not being a
27 religious ceremonial event or something like that, is that what
28 you're saying?

29
30 MS. ANDREWS: Yeah, Mr. Chair, we're not sure if the
31 Sobriety Day event is, in fact, a religious ceremony so it
32 wouldn't necessarily, at least under the State regime, if it's
33 not a religious ceremony, the religious ceremony in State
34 regulations wouldn't apply. If it's, in fact, a non-religious
35 ceremony we question whether that's subsistence use that can be
36 provided for under ANILCA.

37
38 CHAIRMAN EWAN: Okay. Thank you. I just wanted that
39 information. I know we're probably heading in the direction of
40 probably deferring this, I just wanted to get some information.
41 Any other comments or questions?

42
43 Fred.

44
45 MR. JOHN: I just want to make a comment. Do you
46 provide for customary and traditional or just religious
47 ceremony?

48
49 MS. ANDREWS: Mr. Chairman, it's certain religious
50 ceremony, there does not have to be a positive c&t finding

0022

1 under the State regulation for you to be able to take an animal
2 for ceremonial use. It sounds like it would probably be
3 helpful if I brought the exact language. Got some copies and
4 bring it back later today, then you could see what the
5 regulation says.

6

7 CHAIRMAN EWAN: That's good information there. Ralph.

8

9 MR. LOHSE: If I remember right, underneath that
10 regulation that includes funerals, potlatches and Memorial
11 Potlatches, things on that order.

12

13 MS. ANDREWS: That's correct.

14

15 MR. LOHSE: But something like the sobriety thing,
16 which is a newly instituted thing, fairly new in the Cordova
17 area anyhow, you're questioning whether that would come under
18 traditional ceremonial purposes?

19

20 MS. ANDREWS: Right, if that's a religious practice.

21

22 MR. LOHSE: Or just customary and traditional
23 ceremonial?

24

25 MS. ANDREWS: Well, the State law is for certain
26 religious ceremonies in order to provide for the Freedom of
27 Religion Act.

28

29 CHAIRMAN EWAN: Any other questions or comments? If
30 not, thank you. Oh, someone from the public here or agency?

31

32 MS. HILDEBRAND: I'm Ida Hildebrand from BIA and I just
33 wanted to comment on whether or not this is a religious
34 ceremony. Just to state that although sobriety may be a new
35 word, healing and cleansing ceremonies have been going on for
36 centuries. And if that is indeed part of their healing
37 ceremony that is a religious or special ceremony. But of
38 course the proponent would have to say that.

39

40 CHAIRMAN EWAN: Thank you very much. Any other agency
41 want to make comment? If not, what is the wish of the Council
42 on this proposal?

43

44 MR. LOHSE: I don't think we can take any action on
45 this, we have to defer it at this point in time.

46

47 CHAIRMAN EWAN: The recommendation is to defer? All
48 right. Is there any objection to deferring? Hearing no
49 objection this proposal is deferred till when?

50

0023

1 MR. JOHN: I think they're going to bring it up on
2 Special Actions.

3
4 CHAIRMAN EWAN: When are we going to take this up
5 again?

6
7 MR. OSKOLKOFF: You said August '97?

8
9 MS. MASON: That was the proponent's decision, to defer
10 and to submit in August '97.

11
12 CHAIRMAN EWAN: All right. The next proposal is 20 and
13 this is for Unit 6, otter, to establish a closed area. Rachel.

14
15 MR. WILLIS: I'm going to handle that one. Proposal 20
16 deals with the closure and trapping of river otter in a portion
17 of Prince William Sound. And this is one that was dealt with
18 as a Special Action by the Council just a couple of months ago,
19 so I'm sure you're mostly familiar with it, but just to recap
20 briefly.

21
22 There is a study being done to determine the effects of
23 the Exxon Valdez Oil Spill on river otters and through them
24 other intertidal resources in Prince William Sound. This
25 research project depends on live trapping and releasing otters
26 and following them around and trapping them again at later
27 dates. And for this reason the researchers as that the
28 trapping season be closed in the area where they're doing their
29 research.

30
31 Area closure is -- we had a nice map made of this area
32 and in the rush to get the book published it was inadvertently
33 left out and I apologize for that. But the area enclosed
34 extends from the Unit 6 boundary at the head of Kings Bay,
35 northeast along the center of Kings Bay and Port Nellie Juan,
36 east of Point Eleanor, southeast to Little Smith Island,
37 southwest to Point Helen, northwest to Vernon Island, southwest
38 along the center of Icy Bay and west along Tiger Glacier back
39 to the Unit 6 boundary.

40
41 The Special Action when this was dealt with in December
42 was to close the trapping season for this year and the Council
43 voted to do that and the Board agreed, so it's been closed for
44 the current season. The proposal in front of you would close
45 it for next year beginning on November the 9th, 1997. The
46 reason for that is the researchers know for certain that they
47 will require one more year to complete their research. It may
48 require an additional year beyond that but they won't know
49 until next year, so this is something that will be examined
50 again next year.

0024

1 There's very little subsistence use of river otters
2 documented in that area and we talked to people at Chenega Bay,
3 which is the closest community and they have no objection to
4 closure. We talked to the two trappers who have trapped a few
5 otters in there within the last year or so and they have no
6 objection to the closure and therefore we recommend that this
7 Council support the closure for an additional year. And at
8 that time we will look at it, if the research has been
9 completed it will be reopened.

10

11 CHAIRMAN EWAN: Thank you, Bob. We'll have written
12 comments, any written comments?

13

14 MR. LOHSE: Can we ask Bob a question?

15

16 CHAIRMAN EWAN: Oh, go ahead, any questions go ahead.

17

18 MR. LOHSE: Bob, on this proposal I don't see anything
19 in here that says that it's limited -- I mean, that this is a
20 proposal for 1997, it's 1997-1998 season, is it possible in
21 this proposal to say that it's a one year proposal to be
22 reviewed next year? I mean, the way it's written right now
23 unless we ask to have it reviewed it could just keep on going.

24

25 MR. WILLIS: The only thing we said was it will be
26 reopened at the conclusion of the study, that was the last
27 sentence in the justification. We can certainly put some
28 language in beyond that. We did discuss that, if there was a
29 need to, to say that this would be examined on an annual basis.
30 That fact that everybody was in agreement with the closure
31 until such time as the research was completed seemed to
32 indicate that there was no need to say anything beyond the fact
33 that it would be reopened as soon as the study was completed.
34 If the Council feels like we need to add some additional
35 language to that I'm sure we could do it.

36

37 CHAIRMAN EWAN: Is that it?

38

39 MR. LOHSE: That's all I have.

40

41 CHAIRMAN EWAN: Okay. No other questions of Bob we'll
42 go on to the written comments. Go ahead, Helga.

43

44 MS. EAKON: We received one comment on Proposal 20 and
45 that was from the Alaska Department of Fish and Game, who said
46 they do not support the proposal. The Federal Board adopted
47 the Special Action Request in December 1996 which addressed the
48 1996 through 1997 season. The Department supported that
49 action, however, adoption of this proposal would make this a
50 permanent regulation beginning in 1997-98. At this time we do

0025

1 not support extension of this closure beyond the current
2 Federal regulatory year. Rather the need for this closure
3 should be evaluated on a year by year basis and a Special
4 Action taken if necessary.

5
6 End of comment.

7
8 CHAIRMAN EWAN: Okay. Is that all the written
9 comments? Okay. Any comments from the public on the proposal?
10 (Pause) Okay. If there are no comments from the public we
11 have agency comments.

12
13 MS. ANDREWS: Thank you, Mr. Chair, Elizabeth Andrews,
14 Department of Fish and Game. Thank you, Helga, that pretty
15 much covered out comments. I just wanted to add that when this
16 came up as a Special Action Request in December, and I think
17 many of you were on the conference call for that, it was out
18 understanding that these would be reviewed on a case by case
19 basis and year by year. And that's the nature of our concern
20 about having this put into permanent regulations.

21
22 So as we stated, we prefer to see this come up as
23 necessary, it seems like it could be accomplished through a
24 Special Action. If there's a sunset clause or something like
25 that that could be added so that this doesn't get locked in, we
26 would probably support something like that, too. However,
27 we'll have to see what get recommended. But we wanted to look
28 at these on a case by case basis and we think Special Actions
29 can help accomplish that.

30
31 Thank you, Mr. Chair.

32
33 CHAIRMAN EWAN: Okay. Let me -- you're saying if we
34 put in a recommendation that we review this annually you would
35 support this proposal? Or are you saying something else?

36
37 MS. ANDREWS: Well, we're -- when we discussed this in
38 December we said that we thought that they should be looked at
39 year by year so you could evaluate information year by year.
40 We understand that the information will probably be the same
41 for the next year, so that it probably would extend for another
42 year and we would probably support that for one more year.
43 However, beyond that we would need to evaluate the information
44 again and we think that that should be done on an annual basis.

45
46 CHAIRMAN EWAN: Thank you. Any other agency comments?
47 Yes, Tom.

48
49 MR. BOYD: My name is Tom Boyd. I think Ms. Andrews
50 raises a good point regarding the nature of the regulation

0026

1 itself. I think we viewed the proposal as a temporary closure
2 until the research was completed and my understanding was that
3 was generally supported, even by the user communities in the
4 area. I think we wanted to use this forum, this regulatory
5 cycle, as a mechanism for getting the closure extended beyond
6 this season into next season, so we could view this, I think,
7 instead of a change in the regulation as a temporary closure
8 and if you so recommended we could accommodate that with a
9 notice that would continue the closure through next season and
10 we could evaluate it after that season.

11
12 I'm not exactly sure what the mechanism would be, you
13 know, my sense is that the regulation would remain the same but
14 we would issue a notice saying that the river otter season in
15 Unit 6(D) would remain closed through the 1997-98 season.

16
17 CHAIRMAN EWAN: Go ahead, Ralph.

18
19 MR. LOHSE: Couldn't you just state there will be a
20 temporary closure of river otter in that area for the 1997-98
21 season? I mean you could state that right in the regulation.

22
23 MR. BOYD: Mr. Lohse, I think that's exactly what I'm
24 suggesting.

25
26 CHAIRMAN EWAN: Okay. Did that conflict with what the
27 State just commented? Would that be in agreement with them?

28
29 MR. BOYD: I would have to ask the State. I don't
30 think so.

31
32 CHAIRMAN EWAN: That's what I thought I heard. That's
33 okay if what I heard is correct.

34
35 MS. ANDREWS: Mr. Chair, I'm just trying to understand
36 what the mechanism is and if the temporary closure regulation
37 just provides for '97-98 I don't think we would have a problem
38 with that. It's beyond that we'd want to be able to
39 reevaluate.

40
41 CHAIRMAN EWAN: Okay. I think we're into the Regional
42 Council deliberations, recommendation. Ralph.

43
44 MR. LOHSE: I make a motion we support Proposal 20.

45
46 CHAIRMAN EWAN: There's a motion to support Proposal
47 20; is there a second?

48
49 MR. ROMIG: I'll second.

50

0027

1 CHAIRMAN EWAN: There's a motion and a second, further
2 discussion on the motion?

3
4 MR. LOHSE: I'd like to make an amendment.

5
6 CHAIRMAN EWAN: Okay.

7
8 MR. LOHSE: I would like to include the words that this
9 is a temporary closure for the 1997-98 season to be reevaluated
10 on an annual basis.

11
12 CHAIRMAN EWAN: Is there a second to the motion?

13
14 MR. OSKOLKOFF: Second.

15
16 CHAIRMAN EWAN: There's a second to the motion, further
17 discussion on the amendment. Any further discussion on the
18 amendment? If not, are you ready to vote on the amendment?

19
20 MR. OSKOLKOFF: Question.

21
22 CHAIRMAN EWAN: Question is called for, all in favor
23 say aye

24
25 IN UNISON: Aye.

26
27 CHAIRMAN EWAN: Opposed by the same sign.

28
29 (No opposing responses)

30
31 CHAIRMAN EWAN: Motion is carried. On the main motion
32 any further discussion?

33
34 MR. OSKOLKOFF: Question.

35
36 CHAIRMAN EWAN: Question is called for, all in favor
37 say aye

38
39 IN UNISON: Aye.

40
41 CHAIRMAN EWAN: Opposed by the same sign.

42
43 (No opposing responses)

44
45 CHAIRMAN EWAN: Motion is carried. The next proposal
46 then will be Proposal 21.

47
48 MR. WILLIS: That's correct.

49
50 CHAIRMAN EWAN: I was just going to announce what it

0028

1 was about. Proposal 21 is for Unit 7, it's for moose.
2 Establish an open season. So, Bob, you're going to commenting
3 on this, I guess.

4
5 MR. WILLIS: Thank you, Mr. Chair. Currently there is
6 a no subsistence moose determination for moose in Unit 7. We
7 discussed that earlier and the Council recommended in favor of
8 establishing a positive c&t for moose in the Kings Bay area and
9 not for the Day Harbor area. We've kicked Day Harbor around
10 pretty well at the last discussion so I won't pursue that any
11 further.

12
13 Kings Bay area, however, does lie within the Chugach
14 National Forest, almost in its entirety. The amount of moose
15 habitat in Kings Bay is rather limited, it consists of a narrow
16 strip along the Kings River and Nellie Juan River and a little
17 bit of a delta down at the mouth. We did get a count in there
18 this year and I think we need to express a vote of thanks to
19 Ted Spraker with the Alaska Department of Fish and Game for
20 risking his neck for four hours at 30 below zero to get in
21 there and count that little group of moose for us.

22
23 They had good counting conditions, good snow and good
24 visibility and found a total of 20 moose. They felt certain
25 that that was, within one or two moose, that was all the moose
26 that are in that entire area. There were eight bulls, 10 cows
27 and two calves. Only one cow had any calves with her, she had
28 twins. That's a rather isolated area and there's very little
29 interchange from other areas from moose coming in and going
30 out, so that little subgroup of moose there is kind of on its
31 own.

32
33 The fact that only one cow had calves is also rather
34 significant, it indicates a high level of predation. And
35 that's something that can be expected in an area because
36 there's a very large number of black bears there and black
37 bears are a primary predator on moose calves.

38
39 Harvest ticket data indicates that there's been only
40 one moose harvested there since 1983. There are a few hunters
41 that go in there every year, there is one cabin that was
42 spotted from the air at the head of the bay. And the hunters
43 are from various places, mostly from Anchorage. There was one
44 hunter from False Bay who harvested a moose in 1987.

45
46 We've heard from Don and some of the other hunters in
47 Chenega Bay and there's no question that they have customarily
48 and traditionally hunted moose in there on an opportunistic
49 basis for quite a few years.

50

0029

1 Our recommendation here, though, was not to support the
2 proposal in its original form but rather to modify it. That
3 little group of moose is pretty vulnerable, especially in the
4 late season after everything freezes up. You can go in there
5 with a snowmachine or an ATV after it freezes up and go right
6 up the valley. They're very isolated at that time. Our
7 observers found 19 of the 20 moose located within a short
8 distance of each other in one little pocket of habitat.

9
10 The moose in that area are subject to the same problems
11 in the rest of Unit 7 or Unit 15 in that they need some
12 protection and having a season which extends for several month
13 through the rut and through the end of the winter months for
14 any bull, when there are only eight bulls in there, we feel
15 would not be a wise move and, therefore, we recommend that at
16 this point we establish a season which is identical to the
17 State's season.

18
19 We haven't had a lot of time to analyze this,
20 obviously. We looked at what the proponent asked for and we
21 felt that that was not biologically sound and, therefore, we're
22 recommending establishment of a Federal subsistence season but
23 at this point have it mirror the State season.

24
25 That concludes the staff analysis.

26
27 CHAIRMAN EWAN: Okay. That it? And the State's
28 season, is that written here?

29
30 MR. WILLIS: The State season is in the analysis there,
31 it's currently August 20 to September 20 with a spike-fork,
32 50-inch or three brow tine antler restriction.

33
34 CHAIRMAN EWAN: Okay. Do we have questions?

35
36 MR. LOHSE: I'm sorry I missed part of what you said.
37 Did you say that herd consisted of about 19 moose in that area?

38
39 MR. WILLIS: Twenty moose were counted, they did a very
40 thorough count and they don't think they could have missed more
41 than one, if that. They flew the track lines in the snow. Not
42 only did they look for moose but when they found a track they
43 flew both directions to make sure they didn't miss any moose.
44 So we're talking about only 20 moose.

45
46 CHAIRMAN EWAN: How recent was that done?

47
48 MR. WILLIS: January the 7th of this year, a month ago
49 tomorrow, I guess.

50

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1 CHAIRMAN EWAN: Any other questions or comments? Don
2

3 MR. KOMPKOFF: I've gone -- the village of Chenega and
4 Tatitlek have petitioned that they had -- I had it going around
5 but due to my recent brother passing way, I left all the
6 material down there, that everybody signed in the village,
7 Tatitlek and Chenega, and we requested that -- at the end of
8 petition both from Chenega and Tatitlek we've taken two moose
9 each year, that we would like to have it -- I don't know, how
10 would we go about doing that?

11
12 CHAIRMAN EWAN: Your question is to me?
13

14 MR. KOMPKOFF: Yes.
15

16 CHAIRMAN EWAN: I don't have the answer for that.
17 Anybody have comment or -- Ralph.

18
19 MR. LOHSE: I guess I wanted to ask a question of Bob
20 again. That comes out to four moose a year, can that herd
21 sustain a four moose a year harvest?

22
23 MR. WILLIS: No, that would be 50 percent of your bulls
24 the first year. If you went in there -- there are only eight
25 bulls total, so if you took four of them the first year, four
26 the second year, you've gotten them all. No, that little
27 sub-population is too isolated, it doesn't have any interchange
28 with other populations to speak of and it just wouldn't be good
29 management to target those animals and say we're going to take
30 four bulls out of that unit when you have only eight total.

31
32 MR. LOHSE: What would be a reasonable harvest out of
33 20 moose? One?

34
35 MR. WILLIS: Well, possibly. You know, it's if-full
36 (sic) to say. There's any number of variations or combinations
37 of season and bag limits that you can look at, but our feeling
38 is you don't need to paint a bull's eye on this little group of
39 moose and have a special season for them. We don't like to
40 micro manage little sub-populations of moose like that. It
41 would be have it the same general protection that you have for
42 the rest of Unit 7. Have them under the same regulation.

43
44 MR. KOMPKOFF: Can I make a comment, Mr. Chairman?

45
46 CHAIRMAN EWAN: Could I ask for you to clarify your
47 question to me. Was it the petition, how it could be handled;
48 is that what you're asking? I wasn't too clear.

49
50 MR. KOMPKOFF: Yes. I was just wondering how Chenega -

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1 would go about, say, getting two moose from Kings Bay every
2 year or.....

3
4 CHAIRMAN EWAN: Okay. That's what I heard and I don't
5 have the answer, so go ahead -- you got a comment to clarify?

6
7 MR. KOMPKOFF: I would like to say that during the cold
8 spells, you know, when the snow gets hard those moose could
9 travel all over because they went all the way to Nellie Juan
10 Point on the hard snow. And years ago they seen on Culross
11 Point and Nellie Juan Point, so those moose could travel when
12 the snow get it's rain and it freezes and the moose could
13 travel on between the two terrains from Seward over to Chenega.
14 And I don't know how many moose go back every year before it
15 unthaws again, the ones that are over here get stuck and stays
16 there.

17
18 MR. WILLIS: Well, all that country is pretty
19 mountainous up and down the coast there and the habitat is
20 pretty limited to those river valleys right along the coast.
21 There's not many moose on that side of the mountains, the
22 Prince William Sound side to begin with. The interchange would
23 have to take place across from the interior up the Nellie Juan
24 River passed Nellie Juan's Lake, that's about 20 or 25 miles of
25 pretty rough country, mountains and glaciers an so forth. And
26 I just don't think you're going to find much interchange.
27 Certainly they move around over on the Kings Bay side to some
28 degree, but they're still pretty well concentrated in that one
29 area.

30
31 CHAIRMAN EWAN: All right. Could I ask a question of
32 Bob while I'm thinking about it? This survey that you do, do
33 both agencies, State and Federal, probably do their surveys
34 during the winter for moose, right? Is that the best time, I
35 wonder, to determine kind of a year-round level of the
36 population?

37
38 MR. WILLIS: Normally you do your composition counts in
39 November when you have snow but before the bulls have dropped
40 their antlers and that way you can get a better idea of the
41 bull:cow ratios and the size and age classes of the bull.

42
43 In this case we didn't get the proposal until mid
44 November and we had to get some money transferred to the State
45 to do that flight because the Forest Service is not allowed to
46 fly at low altitudes to count moose. So it was January before
47 we got it done.

48
49 Some of the bulls still had antlers, some had already
50 dropped their antlers, but they were still distinguishable as

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1 bulls to a trained observer. So normally that would have been
2 done in November. Actually that's the first time that that
3 area had been counted as far as anyone knows. It's difficult
4 to get to, you have to fly through the mountain passes to over
5 around Soldotna and then fly the river valleys once you get
6 over there.

7
8 And because it's a very small area and can't support
9 very many moose there's been no reason for anybody to go in
10 there and do a special survey until we had this proposal.

11
12 CHAIRMAN EWAN: The reason I asked that is Don had a
13 comment about moose moving around that area. That is the best
14 time, you think, to kind of get an idea of what the year-round
15 population is there?

16
17 MR. WILLIS: I think so, yes. In fact, in talking to
18 Ted Spraker about the flight, they flew the Nellie Juan --
19 started up at Nellie Juan Lake way up in the mountains and flew
20 all the way down to the coast and went up Kings River and he
21 said they saw only one set of moose tracks in the vicinity of
22 Nellie Juan Lake and they didn't go down into the Kings Bay
23 area, but they flew all of that country looking for tracks as
24 well as for moose and didn't find any until they got down into
25 the Kings Bay area. There was one moose close to coast in Unit
26 6(B), the other 19 were up in a wide area -- a wider area in
27 the Kings River valley up away from the coast and all 19 of
28 them were within a half a mile of each other.

29
30 CHAIRMAN EWAN: Okay. Thank you, Bob. Ralph, you had
31 a comment or question?

32
33 MR. LOHSE: Yeah, I was just going to ask Bob with that
34 kind of isolation, does that moose herd have enough mixing to
35 maintain genetic diversity or it is a very susceptible herd?

36
37 MR. WILLIS: Well, they're there. As I say, nobody had
38 really flown that area since there's been people hunting there
39 over the years and moose have, I guess have -- a few moose have
40 always been there. Certainly there is a little interchange,
41 I'm not saying there's never a moose that crosses the mountain,
42 surely there is some interchange because they'll roam around
43 some during the breeding season. But everything indicates that
44 that is a relatively isolated population.

45
46 The fact that you have eight bulls and 10 cows, you
47 know, that's a very high bull:cow ratio for that little
48 subgroup of moose. It's a pretty good indication that all the
49 breeding can take place right there, there's no reason for the
50 calves to move to get bred or for the bulls to go roaming

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1 looking for cows. So just given the amount of habitat and size
2 of the country we feel like they're pretty isolated, but at the
3 same time certainly there is a little bit of interchange that
4 would take place.

5

6 MR. LOHSE: One other question is, in your count, how
7 many of those animals were calves?

8

9 MR. WILLIS: Two.

10

11 MR. LOHSE: Two calves?

12

13 MR. WILLIS: I cow had twin calves with her, the other
14 cows had no calves.

15

16 MR. LOHSE: Well, would that be due to predation
17 probably?

18

19 MR. WILLIS: We feel certain that it is. There's a
20 very high black bear population in that area and black bears
21 are very heavy predators on moose calves.

22

23 MR. LOHSE: So you don't have a lot of replacement
24 animals coming into that herd every year?

25

26 MR. WILLIS: That's correct, a very low survival of
27 calves is indicated by, at least, this one time count and we
28 have no reason to think that this was not a -- or was an
29 abnormal year.

30

31 CHAIRMAN EWAN: Any other questions of Bob? We'll move
32 on to written comments then.

33

34 MR. ROMIG: Mr. Chairman.

35

36 CHAIRMAN EWAN: Oh, Ben, go ahead.

37

38 MR. ROMIG: I'd like to ask Bob any idea what size the
39 bulls were? You said some of them had dropped their antlers.

40

41 MR. WILLIS: Yes, I have that information. As I recall
42 -- I think four of the bulls had already dropped their antlers
43 and they were large bulls. There's one bull that Ted estimated
44 at 42 inches, there was one that probably would have been about
45 30 to 36 inches, it had one antler and the other one had fallen
46 off. And then there were a couple of spikes, I think one was a
47 spiked-fork.

48

49 CHAIRMAN EWAN: Does that answer your question?

50

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1 MR. ROMIG: Yeah.

2

3 CHAIRMAN EWAN: So how many would you estimate over the
4 50-inch?

5

6 MR. WILLIS: Probably the four that had dropped their
7 antlers. That's one reason you like to count in November is
8 you don't have to guess about these things, but normally the
9 larger bulls drop their antlers first and those four, or at
10 least some of those four were lacking.....

11

12 CHAIRMAN EWAN: You think those were over 50?

13

14 MR. WILLIS: I would say so. There's not much harvest
15 in there or hasn't been much harvest that we know of and, yeah,
16 I would say that several of those bulls are probably over
17 50-inches in size.

18

19 MR. ROMIG: I have one other questions. If even with
20 that small of an isolated herd, if you held it to, you know,
21 50-inch or better bulls, you'd still with that small of cow
22 population the younger bulls would be capable of doing the
23 breeding, wouldn't they?

24

25 MR. WILLIS: Younger bulls can certainly breed but
26 they're not as effective. You know, we talked about this
27 repeatedly in the Unit 15 moose discussions, that your larger
28 and older bulls are more effective breeders and they tend to
29 breed earlier. Cows don't respond as well to young bulls and
30 you tend to have later born calves and weaker calves when you
31 have younger animals doing the breeding, so you try to protect
32 a high percentage of those middle and older class bulls.

33

34 CHAIRMAN EWAN: Gary.

35

36 MR. OSKOLKOFF: Is there an existing State season
37 that's open also in the same area?

38

39 MR. WILLIS: Yes, the State's season is August 20 to
40 September 20 in Unit 7 and spike-fork, 50-inch, three brow
41 tines.

42

43 MR. OSKOLKOFF: And I read here that there has been
44 very limited hunting in that area though over the last.....

45

46 MR. WILLIS: There's been hunting every year except for
47 '93 to '95. That's right, we had no reported hunting in '93 to
48 '95, we had hunting every year by two to five hunters each year
49 from 1993 as far as the database goes back, up through '93.

50

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1 MR. OSKOLKOFF: And how many moose are taken in a given
2 period.

3
4 MR. WILLIS: We have a record of only one moose that's
5 been taken out of there under current regulations.

6
7 MR. OSKOLKOFF: What is the State's season in that
8 area?

9
10 MR. WILLIS: August 20 to September 20.

11
12 MR. OSKOLKOFF: Okay.

13
14 CHAIRMAN EWAN: You recommending supporting this
15 proposal which mirrors the State season and all that?

16
17 MR. WILLIS: That's correct.

18
19 CHAIRMAN EWAN: But you do not support the two per
20 community?

21
22 MR. WILLIS: I don't see how you can take -- set up a
23 regulation which would potentially take 50 percent of your
24 bulls in one year. No, we can't support any bull and taking up
25 to four bulls out of a total of eight bulls each year. That is
26 just not biologically acceptable.

27
28 CHAIRMAN EWAN: Do you know what the date -- it's got
29 to be 50 and over and that's open to anybody?

30
31 MR. WILLIS: Spiked-fork bulls or 50-inch plus bulls or
32 three brow tine, so it's the same as Unit 15 and the rest of
33 Unit 7. That group of animals needs the same kind of
34 protection as the rest of Unit 7 and, you know, it is within
35 reasonable distance of a lot of people, of a lot of hunters,
36 and so you need the antler restriction to protect it, you need
37 to cut the season off prior to the rut and prior to freeze up
38 which makes the animals easily assessable. That was the basis
39 for our recommendation.

40
41 CHAIRMAN EWAN: Okay. Any other questions of Bob
42 before going to written comments? If not -- oh, go ahead, Don,
43 I'm sorry.

44
45 MR. KOMPCKOFF: Yes, on this -- I waited so long I can't
46 remember what I was going to say, but during the past we've
47 hunted that and I think about 11 moose since 1983 has been
48 taken out of there from Chenega, Cordova and Tatitlek. And
49 seems to me like the herd is still -- it still keeps getting
50 the same within a five year period. If we don't see any bulls

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1 or if we don't see any cows or bulls, you know, we -- one year
2 we seen only two bulls and two cows and one calf along the
3 river and nobody hunted when the count was low. That's just
4 the way we try and manage our own moose hunting. But now you
5 say it's up to 19, that's quite a bit from what we'd seen.

6
7 MR. WILLIS: Obviously we have no way of knowing what
8 the unreported harvest is in there and people obviously do hunt
9 there. I'll accept Donald's figure of 11 moose since 1983,
10 that's 10 more than we have reported and the one that was
11 reported taken was from False Bay and not from Chenega or
12 Tatitlek or Cordova.

13
14 CHAIRMAN EWAN: Yes, Ralph.

15
16 MR. LOHSE: One thing is if you just used Don's figure
17 of 11 moose out of there, if we have two calf survival, that's
18 just about one moose a year, let's just say, from 1983 and
19 which would working out pretty good if we have two calf
20 survival a year. That would be 50 percent of the replaceable
21 moose taken every year. And you got to have some old moose
22 dying so that's about what they herd could support at the most
23 if there's 20 moose there. It definitely couldn't support four
24 moose being taken in a year, but it could support about one
25 moose being taken in a year.

26
27 MR. KOMPKOFF: It worked out that way, what they told
28 me if they caught a bull or a cow and the calf was there they
29 take the calf too, that's why two has been taken every time
30 they go.

31
32 CHAIRMAN EWAN: Gary.

33
34 MR. OSKOLKOFF: A comment, I guess, maybe -- I don't
35 know if Bob wants to speak to it, but I wish somebody would.
36 We have -- first of all, it's my understanding we have no c&t,
37 is that correct, for this?

38
39 MR. WILLIS: That's correct. We have a proposal which
40 we just looked at a little while ago, to have a c&t, so these
41 two go hand and hand.

42
43 MR. OSKOLKOFF: Okay. And then we have no Federal hunt
44 but we do an existing State hunt?

45
46 MR. WILLIS: That's correct.

47
48 MR. OSKOLKOFF: Is it within the realm of possibility
49 that given an odd year and a number of people could wander up
50 there under a State hunt and perhaps do just as much damage,

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1 let's say, take four bulls out of the area in one year? I know
2 it would be unusual given the data, but it seems theoretically
3 at least possible.

4
5 MR. WILLIS: If they did it illegally, you know, if
6 they're legal hunters under the current restrictions it highly
7 unlikely that that would happen. With the antler restriction
8 and the season which ends prior to the rut, September the 20th.

9
10 MR. LOHSE: Bob, is that because of the habitat moose
11 inhabit that time of the year?

12
13 MR. WILLIS: Access would not be as good prior to
14 freeze up. The moose would be more spread out than they are
15 later on in the year. Obviously they're easier to kill during
16 the rut. The antler restriction, if people are hunting legally
17 would limit the number of bulls that they could take.
18 Conceivably you could shoot four legal bulls out of there in
19 one year, it would be difficult to do under the current
20 regulatory restriction though.

21
22 CHAIRMAN EWAN: Gary, were you done with your question?

23
24 MR. OSKOLKOFF: I really just have a concern that we --
25 we're talking about how dire this is and the estimates being
26 down to one moose, I think, that Ralph discussed and the on the
27 other hand there's a State season and my concern is that if
28 you're taking more than, perhaps, once moose per year you might
29 run into the same or similar situation if you don't close the
30 State season and being that it's -- we're talking Federal lands
31 and a subsistence priority, if we are talking that. It would
32 seem that we would have to do that hand and hand with closing
33 the State season in that area in order to accomplish that task,
34 providing those moose to subsistence users.

35
36 I think in the comments, and what I'm asking for in
37 people's comments is if we can address that as a whole, I know
38 that's not a very palatable idea to some, but I'd like to hear
39 those comments on that issue.

40
41 CHAIRMAN EWAN: Okay. While you're still there, Bob,
42 could I ask, and maybe you mentioned this already, but I'm not
43 too familiar with this area. I just, you know, fly over there
44 or see that area from the air, but how much large of an area
45 this habitat we're talking about, do you know?

46
47 MR. WILLIS: I think -- I'm trying to think of the best
48 way to describe it. The two river valleys are very narrow,
49 they have canyons in various place and then they'll widen out
50 to where there may be a quarter mile wide for a half mile to a

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1 mile in length. The particular area, as Ted described it to me where they found the moose was about a one-half to one mile long strip of the river where it had widen out slightly and there was a lot of willow -- it was flat enough that there was a lot of willow growing in there. I'm not real familiar with that area myself not having been there, but, you know, acreage wise I'm not sure I could describe it to your satisfaction as far as how many square miles.

9

10 MR. LOHSE: Ball park, some idea?

11

12 MR. WILLIS: I think it's about 20 miles or so from the mouth of the Kings River up to the glacier where it heads up and it's a little further up to the Nellie Juan, probably 25 to 30 miles up to a divide that drops over and down on the -- it'd be the west side of the range of mountains there. And as I say, some of that is canyon, not all of it is useable for moose, they could get through it with some difficulty but it's not really moose habitat. There's just patches of moose habitat along those rivers and down close to the bay itself. Don probably knows more about what's down close to the bay than I do.

23

24 MR. KOMPKOFF: Yeah, that's the only place where we been hunting, right down close to the beach, close to the shore and up the river probably a mile or so.

27

28 CHAIRMAN EWAN: And the State hunt is an open hunt, right?

30

31 MR. WILLIS: Right, the State hunt is a general hunt, 32 day season and with a spike-fork, 50-inch, three brow tine and antler restriction.

34

35 CHAIRMAN EWAN: Yeah, that being the case I kind of agree with Gary, his comment about trying to accommodate rural subsistence hunters, as we should try to be doing. How we accomplish that is very difficult, I understand, but that's what I'm thinking, too, Gary. Ralph.

40

41 MR. LOHSE: Bob, was I right in understanding that that one moose that was take since 1983 was from State's records?

43

44 MR. WILLIS: That's correct.

45

46 MR. LOHSE: In other words, you've had one moose taken under State hunting regulations since 1983, basically we figure 47 there's 10 or so moose that have been taken subsistence-wise 48 since 1983.

50

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1 MR. WILLIS: We had one moose reported taken under the
2 State since '83, there's obviously been no Federal hunt in
3 there.

4
5 MR. LOHSE: Do you have any idea whether that one moose
6 that was taken under the State hunt was taken by a local rural
7 resident or was it taken by.....

8
9 MR. WILLIS: It was taken by a resident of a place
10 called False Bay, I don't know if you're familiar with that
11 area, it's the next bay to the east of Main Bay where the
12 hatchery is located. It's my understanding that that's not a
13 traditional community, it's a group of people -- most of them
14 are from Anchorage, as it was described to me by a State's
15 fishery biologist. And I asked him about that, you know, and
16 he said it was just a group of people that had come there from
17 various place, they had trailers and cabins and old boats that
18 didn't run anymore and so forth, to live on, it was just a
19 non-traditional community that had grown up, I guess, in recent
20 times. But certainly they are subsistence users, you know,
21 they're rural residents of the area.

22
23 MR. LOHSE: The State would class as rural residents?

24
25 MR. WILLIS: Yes, they would be rural residents.

26
27 CHAIRMAN EWAN: Thank you, Bob. Don.

28
29 MR. KOMPKOFF: Mr. Chairman, yeah, they are setnetters
30 that fish Main Bay area mostly. Mostly fishermen, that's what
31 they are.

32
33 CHAIRMAN EWAN: But they live there?

34
35 MR. KOMPKOFF: Yes, they live year-round.

36
37 CHAIRMAN EWAN: Okay. Any other questions or comments.
38 We'll go on to the written comments.

39
40 MS. EAKON: Yes, Mr. Chair, we received one comment on
41 this proposal and that came from the Alaska Department of Fish
42 and Game, which deferred their final comments. However, they
43 did state that a survey conducted in the Kings Bay area on
44 January 8th, 1997 counted only 20 moose, eight of which were
45 bulls.

46
47 The Department believes this moose population in this
48 area is too small to support a Federal subsistence hunt as
49 requested in this proposal. The State is concerned about a
50 late fall and early winter season, increased accessibility to

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1 the moose population during that time and the type of bull
2 which could be taken as stated in the proposal.

3
4 Furthermore, the proposed allocation to tribal members
5 only is no permissible under ANILCA. The Department does not
6 support a Federal subsistence hunt in Day Harbor. Almost all
7 the habitat in that area is State land and Department
8 documentation shows no evidence of moose hunting in the Day
9 Harbor area by the communities of Tatitlek or Chenega Bay.

10
11 End of comment.

12
13 CHAIRMAN EWAN: Okay. We'll have the floor open for
14 public comment now. Anybody want to make comment on this
15 proposal? If there are no public comments, we'll have agency
16 comments.

17
18 MS. ANDREWS: Mr. Chairman, Elizabeth Andrews, Fish and
19 Game. I think Robert Willis has pretty well covered all the
20 biological concerns that we had raised.

21
22 Thank you, Mr. Chair.

23
24 CHAIRMAN EWAN: I do have one question. Is there any
25 possibility of compromise here at all, maybe -- is the number
26 the problem or this on the proposal for two per community? My
27 understanding is that the number is one problem, right?

28
29 MR. WILLIS: Mr. Chair, given the time that we have to
30 work on these proposals it's not possible for us to analyze any
31 and every possible combination of numbers and seasons and bag
32 limits, I'm sorry to say. We have to look at what the
33 proponent asks for, decide if that's reasonable or not and make
34 a suggestion, you know, that something -- if that is not
35 acceptable, which is essentially what we did here.

36
37 Certainly the Council is free to recommend anything
38 that they feel comfortable with. Our time to analyze all of
39 these is somewhat limited, that's our biggest problem. So it's
40 really hard for me to sit here and say one moose is okay, you
41 know, two moose is not okay. There's so many things you have
42 to think your way through about possibilities and what might
43 happen.

44
45 Certain things you are sure of, that is you need some
46 kind of protection for your breeding bulls, you need protection
47 during the rut and during the late season when accessibility is
48 really, really, good and that kind of thing. Beyond that there
49 are any number of combination of things that could be done
50 which would be biologically acceptable, but again we just can't

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1 possibly analyze all of them.

2

3 CHAIRMAN EWAN: There would be no compromise on the
4 seasons either?

5

6 MR. WILLIS: Certainly there may be one, I'm not saying
7 -- what I'm saying is I don't have an answer for you at this
8 time other than with the time we had available to work on this
9 obviously we didn't feel that the proposal itself as written
10 was biologically acceptable. The only thing then we could do
11 is to say, well, we recommend a positive c&t for this area, we
12 want to establish a Federal season, let's set it to mirror the
13 State's season and maybe next year we can get another, you
14 know, another recommendation, have more time to look at it.

15

16 CHAIRMAN EWAN: Thank you. I just wanted to know what
17 you thought about those. Any other comments or questions?
18 We're down to our own deliberations and recommendations. I'll
19 entertain a motion to either amend or adopt this proposal as
20 is.

21

22 MR. LOHSE: How about a break?

23

24 CHAIRMAN EWAN: Okay. Any objection to having a, what,
25 a 10 minute break?

26

27 MR. LOHSE: Yeah.

28

29 CHAIRMAN EWAN: Ten minute break.

30

31 (Off record)

32

33 (On record)

34

35 CHAIRMAN EWAN: I'll call the meeting back to order.
36 We're on Proposal, what is it, 21. We're down to the Council
37 deliberation, recommendation. I would entertain any motion to
38 amend the proposal or just adopt the proposal as proposed.

39

40 MR. LOHSE: Have we a motion to the proposal?

41

42 CHAIRMAN EWAN: No, we don't.

43

44 MR. LOHSE: Then I move we adopt Proposal 21.

45

46 MR. OSKOLKOFF: Second.

47

48 CHAIRMAN EWAN: There's a motion and second to adopt
49 Proposal 21. Any further discussion?

50

0042

1 MR. LOHSE: Are there any amendments?

2
3 CHAIRMAN EWAN: Are there any amendments?

4
5 MR. KOMPKOFF: Mr. Chair.

6
7 CHAIRMAN EWAN: Yes, Don.

8
9 MR. KOMPKOFF: I entertain a motion to extent the
10 season for 10 days and limit the moose to one moose per
11 village, one spike-fork, 50 moose per village.

12
13 CHAIRMAN EWAN: Did everybody hear the amendment? That
14 we extend the season for 10 days and to limit it to a spike-
15 fork, 50.

16
17 MR. KOMPKOFF: Yes, one moose per village.

18
19 CHAIRMAN EWAN: The villages being Chenega and.....

20
21 MR. KOMPKOFF: Tatitlek.

22
23 CHAIRMAN EWAN:Tatitlek. Okay. Is there a
24 second?

25
26 MR. LOHSE: I'd like to ask Don a clarification before
27 I second it. Don, that means from August 20th to September
28 31st (sic)?

29
30 MR. KOMPKOFF: That's right.

31
32 MR. LOHSE: I'll second it.

33
34 CHAIRMAN EWAN: There's a motion and second. Further
35 discussion on the amendment. Fred.

36
37 MR. JOHN: I'd just like to say something about the
38 spike-fork, 50. I'm always against subsistence hunters trying
39 to be a sport hunters. It seems to me -- I mean, my own
40 personal feeling is when I'm out subsistence hunting I don't
41 really, you know, try to get anything over 50, I try to get
42 something to survive on or live on. So I'm not very happy --
43 or I'm not supportive when we talk about subsistence to use
44 spike-fork, 50.

45
46 CHAIRMAN EWAN: Thank you, Fred. I believe we had that
47 discussion some time back. There are several Council members,
48 I believe, agree with you on that, that we shouldn't restrict
49 subsistence hunters but we have an amendment here to a
50 proposal, is there further discussion on it or questions?

0043

1 MR. LOHSE: Mr. Chairman.

2

3 CHAIRMAN EWAN: Yes.

4

5 MR. LOHSE: I can understand Fred's feelings on that
6 from a subsistence standpoint because I know I much prefer a
7 lot of times to take a cow myself, but if you have a limited
8 amount of animals sometimes you have to do something like that
9 in order to stay within the bounds of the survival of that herd
10 and here we're talking about a very small amount of animals.

11
12 CHAIRMAN EWAN: I don't believe you're speaking against
13 the proposal, right, Fred?

14
15 MR. JOHN: I'm just speaking against, just in general,
16 about starting a precedent about when you're subsistence
17 hunting that using criteria like, you know, plus 50-inch moose,
18 I'm just not for that. I mean, I -- there's some time maybe
19 I'll go for it, but in general I won't vote for it.

20

21 CHAIRMAN EWAN: My question.....

22

23 MR. JOHN: To me that's not subsistence and I don't
24 believe we're talking here -- we're for subsistence hunters and
25 I'm for, you know, preservation and everything. Maybe no hunts
26 for that year, but when we start using spike-fork, 50, we can
27 -- to me I don't think I like that very well.

28

29 CHAIRMAN EWAN: You were talking more general just
30 overall, not specifically about this proposal and my question
31 was do you support or oppose this proposal?

32

33 MR. JOHN: I support this proposal.

34

35 CHAIRMAN EWAN: All right. Other comments or
36 questions?

37

38 MR. OSKOLKOFF: Mr. Chairman.

39

40 CHAIRMAN EWAN: Yes.

41

42 MR. OSKOLKOFF: My question is to the maker of the
43 amendment. Don, do you propose a way to distribute those
44 permits, essentially per village?

45

46 MR. KOMPKOFF: Yes. I was thinking of having like a
47 drawing for one moose every year for Chenega and Tatitlek.

48

49 MR. OSKOLKOFF: I'm also wondering if it would be
50 necessary to given the statistical probability of success and

0044

1 the discussion that we had previous regarding that, if it's
2 necessary to put a number -- a limitation per -- one per
3 village given that the State doesn't have a number and yet it
4 still doesn't take that number of moose. I think the
5 discussion was one in the last decade or something like that.
6 If that would actually be necessary.

7
8 MR. KOMPKOFF: Only if the State could put one moose
9 for the State.

10
11 MR. OSKOLKOFF: No, my question is, since that hasn't
12 happened, do you believe that it's necessary to still restrict
13 to one moose per village?

14
15 MR. KOMPKOFF: Yes.

16
17 MR. OSKOLKOFF: Okay.

18
19 CHAIRMAN EWAN: Does that answer your question?

20
21 MR. OSKOLKOFF: Yes.

22
23 CHAIRMAN EWAN: Okay. Any other comments or questions?
24 We're on the amendment to the proposal. As I understand it
25 we're going to extend the season for 10 days, the proposal is
26 for spike-fork, 50, restricted to that and it'll be for one
27 moose per village. The villages are Chenega and Tatitlek.
28 Anything else that I left out? Oh, yes, the process will be
29 drawing as is recommended also.

30
31 Go ahead, Ralph.

32
33 MR. LOHSE: I'm just wondering if it has -- I don't
34 really see any reason why it has to be limited to drawing, you
35 could just -- if it was understood that it was one from Chenega
36 and one from Tatitlek. When one was taken from Chenega the
37 people from Chenega could quit hunting there. When one was
38 taken from Tatitlek, people from Tatitlek could quit hunting
39 there. You know, I don't see where you have to have a drawing
40 for an individual in those communities, but, you know, if that
41 was your understanding that's okay.

42
43 MR. KOMPKOFF: Yeah, I think that would be the best
44 thing to do is have a -- just one from each village and then
45 they could -- we could designate the hunter.

46
47 CHAIRMAN EWAN: So you're withdrawing your proposal to
48 have a drawing?

49
50 MR. KOMPKOFF: Yes.

0045

1 CHAIRMAN EWAN: Okay. That's not part of the proposal,
2 the amendment. Any further discussion on this proposed
3 amendment? Are you ready to vote on the amendment?

4
5 MS. EAKON: Excuse me, who seconded that motion,
6 please?

7
8 CHAIRMAN EWAN: Ralph said he thinks he did. For the
9 record will you do this?

10
11 MR. LOHSE: Sure.

12
13 CHAIRMAN EWAN: Gary.

14
15 MR. OSKOLKOFF: One other question I have. I'm
16 assuming then since it hasn't been made part of the motion that
17 the State season will remain intact the way it is? And, if so,
18 what would be -- do we expect that there would be another count
19 at the end of, let's say, next January or are we just going to
20 have to get our population data according to harvest tickets?
21 I realize it's probably expensive to fly over.

22
23 MR. WILLIS: Well, I'm not sure I can answer that
24 question to your satisfaction. What it requires is a special
25 flight, it takes about four hours to get over there and do the
26 count. The Forest Service has a policy against low level
27 flying which prevents them from doing it, so we -- this year we
28 got them to transfer some money to the State to pay for that
29 flight. Whether we can do that on an annual basis I really
30 don't know but that's what would be required on an annual
31 basis.

32
33 I guess that would be up to the Forest Service if they
34 wanted to foot the bill for that flight every year. That could
35 probably be arranged but I would have to defer to them on that,
36 you know, I'm not sure anybody could make a statement right now
37 that we can get a count in there every year. Obviously we
38 can't get counts, you know, down in your area, in Unit 15,
39 every year because we don't have the proper snow conditions or
40 flying weather. And so there's guarantee you can do one every
41 year, even if you do have a system set up to do it.

42
43 CHAIRMAN EWAN: Does the State want to comment on how
44 this proposed amendment would affect the State season and bag
45 limit?

46
47 MS. ANDREWS: Thank you, Mr. Chairman. We have to talk
48 to the area biologist in the area. One clarification I'd be
49 interested to know is whether this proposal is just applying to
50 Kings Harbor, that is Day Harbor off the table now? That was

0046

1 my understanding, but it just hasn't been stated.

2

3 CHAIRMAN EWAN: I believe we're talking about just --
4 correct me if I'm wrong, but I think we're just talking about
5 Kings Harbor, is it or.....

6

7 MR. LOHSE: Kings Bay.

8

9 CHAIRMAN EWAN: Kings Bay, yeah.

10

11 MS. ANDREWS: Kings Bay, yes. Okay.

12

13 CHAIRMAN EWAN: We already eliminated the other -- the
14 Day Harbor in Proposal 19 for c&t, yeah.

15

16 MS. ANDREWS: Okay. I didn't know if that illumination
17 was extended to this proposal. So it's an additional 10 days
18 with an antler restriction in this particular area. I don't
19 have any other comments at this time.

20

21 CHAIRMAN EWAN: Do you support it?

22

23 MS. ANDREWS: It seems to have taken into account a
24 number of concerns we had. Thank you.

25

26 CHAIRMAN EWAN: Any further discussion on the proposed
27 amendment?

28

29 MR. OSKOLKOFF: Question.

30

31 CHAIRMAN EWAN: Question is called for, all in favor
32 say aye.

33

34 IN UNISON: Aye.

35

36 CHAIRMAN EWAN: Opposed by the same sign.

37

38 (No opposing responses)

39

40 CHAIRMAN EWAN: Motion is carried. On the main motion.
41 Any further discussion on the main motion?

42

43 MR. DEMENTI: Question.

44

45 CHAIRMAN EWAN: Question is called for, all those in
46 favor signify by saying aye.

47

48 IN UNISON: Aye.

49

50 CHAIRMAN EWAN: That is as amended, yeah. All opposed

0047

1 by the same sign.

2

3 (No opposing votes)

4

5 CHAIRMAN EWAN: Motion is carried. Okay. We're down
6 to -- what time is it anyway? I don't have a watch here.

7

8 (Indiscernible response)

9

10 MR. ROMIG: Okay. We'll go on till noon, if there's no
11 objection. We're on Proposal 22 and this is for Unit 11, goat,
12 revise customary and traditional determination. Rachel.

13

14 MS. MASON: Thank you, Mr. Chairman. Yes, this
15 proposal requests customary and traditional determination for
16 goat in Unit 11. One portion of the proposal deals with the
17 rural residents of Unit 12 and is particularly concerned with
18 the residents of Tanacross, Tok, Northway and Tetlin.

19

20 The second proponent of this proposal asks for a c&t
21 for residents of Dot Lake in Unit 20(D) and the residents of
22 McCarthy and Kennicott in Unit 11.

23

24 And at present there is a negative customary and
25 traditional determination for goat in Unit 11 or there's no
26 subsistence. In examining the information available it became
27 clear that there is an Ahtna tradition of harvesting goat in
28 Unit 11 and there's particularly good information concerning
29 the historical community of Chitina.

30

31 Other communities that can justify a traditional and
32 historic use of goat in Unit 11 are the Ahtna villages of
33 Tonsina and probably Tazlina and Cooper Center. And to follow
34 this, I refer you to the map that was handed out. From this
35 you can see that Chitina is right on the border of Unit 11,
36 along the Copper River. And the other villages for which there
37 is information about historical or ethnographic information
38 about their uses are Tonsina, also Copper Center and probably
39 Tazlina.

40

41 And in discussing this with knowledgeable people it
42 became clear that mobility is very wide spread among Ahtna
43 communities so it would be very difficult to identify only
44 certain Ahtna communities and not others. For that reason the
45 Regional Council may wish to entertain a modification that
46 would give a positive c&t for other Ahtna communities than the
47 ones that were identified in this proposal as having
48 ethnographic and historical uses.

49

50 There was no evidence to support any subsistence

0048

1 harvest of goats by the Upper Tanana communities, including Dot
2 Lake, Northway, Tanacross or Tok. And we had not information
3 that supported subsistence harvest of goats by the residents of
4 McCarthy and Kennicott.

5
6 So, therefore, the preliminary conclusion was to reject
7 the proposal but to off the possibility that the Regional
8 Council might wish to consider a modification that would
9 include Ahtna communities, and again, from our analysis they
10 communities that were suggested were Chitina, Tonsina, Tazlina
11 and Copper Center.

12
13 I found out last night that when the Eastern Interior
14 Council considered this proposal they modified the proposal --
15 the supported the proposal with modification. Their
16 modification was that the communities that would have a
17 positive c&t in Unit 11 for goat would be the Native Village of
18 Dot Lake and the Ahtna communities of Chistochina, Gakona,
19 Gulkana, Mentasta, Copper Center and Tazlina.

20
21 I'll stop there and see if anybody has question.

22
23 CHAIRMAN EWAN: Okay. Are there any questions or
24 comments? Ralph.

25
26 MR. LOHSE: Yeah, I'm surprised that you left out the
27 communities of McCarthy and Kennicott. Having lived up there
28 and having spent a couple of winters that the only meat that we
29 and was goat meat, it seemed kind of funny that nobody up there
30 uses goat for subsistence.

31
32 And when I used to talk to -- well, you know, I know
33 that Chitina has had a lot of use in that area, I mean, you've
34 got the valleys. You know, what Gloria was talking about
35 before, when I used to Suzie Brickle, she talked about the fact
36 that they actually just moved into the hills up in Nikolai,
37 Hanagita, Bremner and all of those areas, they just moved into
38 them in fall, subsisted off of goats and sheep until the winter
39 snows drove them out and took their dried meat and went back to
40 Teral.

41
42 I know that from old records that I read up at the gold
43 camps at Dan Creek and Young Creek up on the Nizina area that
44 was the main winter meat up there, was goat meat. McCarthy
45 goes right across the glacier right over there and a lot of
46 times the only winter meat there is goat meat. We use goat
47 down in the Long Lake area.

48
49 So I would just really be surprised that the residents
50 of that road area that goes up there wouldn't be part of

0049

1 customarily and traditionally using goats.

2

3 MS. MASON: Yeah. Well, there are recorded harvests by
4 those communities, so the question is whether you consider
5 those uses traditional or not.

6

7 CHAIRMAN EWAN: Fred, do you have a question or a
8 comment?

9

10 MR. JOHN: Yeah. I'd like to say that on this goat
11 proposal, I put my name on there to bring it out because up in,
12 you know, badgered by Tok people and others that they want this
13 to be brought up. I know about traditional hunting area for
14 both the Upper Tanana and a lot of -- and from my area almost
15 down -- but where the majority of Mentasta people are from on
16 my mom's clan side is from Batzuletas and the rest are from
17 Shushana (ph) and Nebesna and Dot Lake.

18

19 I support Dot Lake because Dot Lake is because Dot Lake
20 is kind of like a sister village with Mentasta. Most of the
21 people in Mentasta -- Dot Lake are from Batzulnetas, Jean Henry
22 and Dora Charles and all of them are from that area, they lived
23 there all their life.

24

25 And what I'd like to see is a t&c (sic), you know,
26 given to me like who hunted there, like Tok. Tok is a non-
27 Native resident with a population of Natives. I'll say about
28 50 or 60, I really don't know, but Tok is a resident zone
29 community, Northway is not. All the Upper Tanana villages are
30 not resident zone community and Tok is and that kind of
31 concerns me because I feel those villages should have been
32 resident zone before Tok was and that was done in the past and
33 to me it was a big mistake.

34

35 Before I support Tok on t&c, I'll support the villages.
36 The Upper Tanana and Copper River villages, they're kind of
37 like on big family. If the have a potlatch or a Memorial
38 Potlatch, people from as far a way as Healy Lake, Dot Lake and
39 Northway they always come down to either to Copper and the
40 Copper people got their potlatch and everything, so it's
41 related.

42

43 We got what you call a two hugh clan system, they call
44 the Seagull and Raven and those have got four sub-clan under
45 them and we're all related to each other up there, so anything
46 happen it's kind of like one big family. And the boundaries, I
47 think Dot Lake is in -- it's in 20(D) or whatever they call it,
48 but there's another non-Native community there which is a
49 religious community.

50

0050

1 If we propose something like in Unit 20, it'll take in
2 this village, this non-Native community which just came into
3 existence in, I'll say, 19 -- about 1968 somewhere around
4 there, you know, and they're all from the Lower 48 in the Texas
5 area. And that's why I kind of have a little problem with, you
6 know, the lines drawn -- Mentasta has a line right down the --
7 almost in the middle of the village, it comes right out at the
8 summit. And I could step across the line and I couldn't hunt
9 as a traditionally on this side, but I could hunt this side, so
10 I kind of like that more we hit the villages -- I think the
11 line is drawn by the State, right?

12
13 So traditionally and culturally those lines, for most
14 of us we don't exist in our hunting area. So for this purpose
15 I support Dot Lake and the rest of the Ahtna villages.

16
17 MS. MASON: Mr. Chairman.

18
19 CHAIRMAN EWAN: Yes.

20
21 MS. MASON: Just to follow up on what Fred was just
22 saying, there are two different communities in Dot Lake. As
23 you say there's the Native Village of Dot Lake and then there's
24 -- I guess it's just called Dot Lake but if I understand you
25 correctly you're wanting to separate the two of them; is that
26 right?

27
28 MR. JOHN: That was asked by Dot Lake to ask me that
29 when we mention Dot Lake, we mention the Native Village of Dot
30 Lake because there are two villages.

31
32 MS. MASON: Okay.

33
34 CHAIRMAN EWAN: Rachel, could you repeat for me your
35 recommendation on.....

36
37 MS. MASON: The recommendation on -- the preliminary
38 conclusion was that the proposal should be rejected, but the
39 Regional Council might wish to consider a modification giving a
40 positive c&t for goat in Unit 11 to only the communities of
41 Chitina, Tonsina, Tazlina and Copper Center.

42
43 CHAIRMAN EWAN: Okay. And trying to put these comments
44 together, you're, Fred, saying we ought to add which
45 communities?

46
47 MR. JOHN: I'd like to put in the village of -- the
48 seven Ahtna village and then, too, Dot Lake. I don't know,
49 could we include Dot Lake on this from -- I guess we would,
50 yeah.

0051

1 CHAIRMAN EWAN: All right. Any more questions of
2 Rachel before we go to public comment -- written comment?
3 Ralph.

4
5 MR. LOHSE: Why would you -- why was it felt to leave
6 out Tanacross, Northway, Tetlin?

7
8 MS. MASON: There was no information indicating that
9 there have been historical uses or contemporary ones by the
10 community.

11
12 MR. LOHSE: Are there goats up in the northern end of
13 Unit 11 or -- Fred, could you answer that, are goats on the
14 northern side of Unit 11, too, or are they just on the Chitina
15 side?

16
17 MR. JOHN: I heard there's some up there, I don't know
18 far north, yeah, but what I ask about after -- about two weeks
19 ago about the goats. What we based this on is in Mentasta we
20 have people from Chitina living in Mentasta, intermarried and
21 things like that and they did hunt goat. And then we invite
22 these head water people by Jim Kari which is written they did
23 have goat in that area, way up north area. I don't know just
24 exactly where it is, but they did hunt goat there. And with
25 their relationship with Chitina there was a trail going through
26 the parks and they did have, you know, that trade with Chitina
27 with goats and stuff.

28
29 CHAIRMAN EWAN: Ralph, for your information, in your
30 packet or somewhere, a handout, there was some comments from
31 our joint Southcentral/Eastern Interior Committee work session
32 we had in Fairbanks here on January 29th. Maybe that would
33 help you if you could look at that.

34
35 What we said, pretty much, in our recommendations from
36 that meeting was that the Ahtna villages are kind of a
37 transient, the people move from one village to the next from
38 year to year. I know that I'm originally from Copper Center
39 but I live in Gulkana which is just up the road, it's not that
40 far but we know that people from Mentasta from time to time
41 live, you know, pretty -- all the villages down as far as
42 Chitina, they go down there to fish and maybe they do go
43 hunting, I'm not familiar with all that they do when they're at
44 their location.

45
46 But we just had a person, in fact, Fred's relative
47 living in our village here for over a year. The person passed
48 away recently but that just give you an idea that our people
49 intermarry, live in another community. Where I live in Gulkana
50 I would say about a fourth of the people in that community are

0052

1 from other Ahtna villages. So what you are doing is the person
2 may be from Chitina originally but now lives in Gulkana, you
3 kind of disenfranchising this person from hunting traditionally
4 for whatever species we're talking about. In this case we're
5 talking about goat.

6
7 And that's what we're saying pretty much. We think
8 that we ought to allow these people along the highway, who are
9 very transient, opportunity to hunt for goat. It's only word
10 of mouth that we have that these people have had, you know,
11 hunted goat in that particular area. But as Fred stated, there
12 is some record of it, he mentioned Jim Kari, he's done some
13 Ahtna history and language studies and so on. And I think that
14 he's written -- Gloria, do you have a comment on it.

15
16 MS. STICKWAN: I wanted to speak on behalf of the Upper
17 Tanana village, like Tanacross and towards Northway and Tetlin.
18 I'm not from that region, but I want to speak up for them
19 because I had an elder in my own village of Tazlina, her
20 grandmother came from Tanacross. They intermarried with Copper
21 Center people, we have relatives up there. And through these
22 marriages people shared what they had, the land if they needed.
23 So I don't know why we're leaving them out, those villages up
24 there. They may not have hunted down there, but through
25 marriage we shared.

26
27 You know, my dad when he married my mother, his family
28 is Dry Creek area but then when he married my mother he got to
29 use her land, where her village people came from. Through that
30 marriage they shared the use of the land.

31
32 CHAIRMAN EWAN: Thank you, Gloria. I just wanted to
33 add, just add some more to my comments, and that is -- I've
34 already mentioned that we're very transient and the
35 communities. People, the communities, intermarry and people
36 from the communities move to other villages and that is a very
37 real thing up in our area.

38
39 The Ahtna people are kind of like one people, one big
40 family, that's how you look at it up in the Copper River Basin.
41 It has always been that way. Maybe we don't go from Chitina to
42 Mentasta as much as those that's in between or intermarried,
43 they're closer together. As you can understand the further you
44 are from another community the less likely you are to be in
45 contact.

46
47 But I think that whole area from Mentasta to Chitina is
48 really an unique area. That people have just got to understand
49 that it's just like a large community. I've heard from handed
50 down by word of mouth from elders that tell me that, hey, your

0053

1 relatives came from, you know, over there and some of your
2 relatives came from over here. One end of the region to the
3 other. That always has been the case in our area. I just want
4 to stress that.

5
6 And then the other thing is, Fred and I, we was talking
7 about including the Ahtna villages along the road there, the
8 seven villages. There's eight villages in that Ahtna region
9 but we're leaving out Cantwell, which is on the Parks Highway.
10 We thought -- our thinking when we were talking about it in our
11 joint meeting with th Eastern Interior was that the other
12 communities can come forward in the future as the c&t
13 determinations are made and all that. At this point we were
14 just recommending the Ahtna villages because we are very
15 familiar with those village, Fred and I and Gloria and other
16 people that are here. That is the reason I don't think I want
17 to exclude any community.

18
19 Any other comments or questions? Ralph.

20
21 MR. LOHSE: If I understand you right then, Roy, you
22 feel that the proposal for Tanacross, Tok, Northway and Tetlin
23 should come from them and be handled in their area right there.

24
25 CHAIRMAN EWAN: Can you help with that, Helga, you
26 recollect what was discussed on the -- Helga? Well, let me say
27 that in our meeting in Fairbanks, the joint committee meeting,
28 we talked about this issue. They wanted to be included, all
29 the communities in that area, but they said that at this point
30 it'd probably be more feasible just to have the Ahtna
31 communities, you know, included in this proposal. And in the
32 future there would be nothing to restrict other communities to
33 be included in another proposal down the road.

34
35 That's what I understood anyway, anybody else?

36
37 MS. MASON: Mr. Chairman, that's what -- my
38 recollection of that meeting that that was -- the
39 representative from the Upper Tanana region was happy with
40 leaving it as it is for now.

41
42 CHAIRMAN EWAN: Any other questions or comments? Yes,
43 Ralph.

44
45 MR. LOHSE: What do you mean as it is? As this
46 proposal is or as the current regulations are?

47
48 MS. MASON: He would have been satisfied with a motion
49 to modify to include the seven Ahtna villages.

50

0054

1 MR. LOHSE: In other words, amend this proposal just to
2 include the seven Ahtna villages?

3
4 MS. MASON: That's correct.

5
6 CHAIRMAN EWAN: Where do we go, written comments then?

7
8 MS. EAKON: Thank you, Mr. Chairman. We received three
9 comments on this proposal. The first one was from the Alaska
10 Department of Fish and Game which -- and they deferred their
11 final comments until this meeting. They did say that in 1987
12 the Board of Game found that there was no subsistence use of
13 goats in Unit 11 by Copper Basin communities.

14
15 Hunting and use of goats was documented only for the
16 community of McCarthy but the Board of Game found that this use
17 did not meet the eight criteria test.

18
19 The second comment came from the Wrangell/St. Elias
20 National Park Subsistence Resource Commission which supports an
21 amended proposal which includes all rural residents of Unit 11,
22 12, 13 and Dot Lake.

23
24 And finally the Upper Tanana Forty-Mile Fish and Game
25 Advisory Committee in Tok supports this proposal. They
26 recommend that Upper Tanana residents be acknowledged and
27 granted c&t use in Unit 11. They say that the existing c&t
28 determinations deprive legitimate users of the resource for no
29 biological reason.

30
31 And that concludes the written comments, Mr. Chair.

32
33 CHAIRMAN EWAN: Thank you. Any questions or comments?
34 We'll go on to the public comment from the floor. If there are
35 not comments from the floor then we'll go on to the agency
36 comments. Elizabeth.

37
38 MS. ANDREWS: Thank you, Mr. Chairman. Just for your
39 information the Department of Fish and Game will not be
40 offering any comment on the c&t proposals at this time. We
41 haven't looked at the information in the packet that was with
42 the staff analyses and listened to the Regional Council comment
43 and the other information that's being brought forward. What
44 you'll see that are in our comments here, simply are to provide
45 you with some background information as to what the State did.
46 We're not taking a position in any way on these particular
47 ones. So if you can -- you'll see as you go through with our
48 comments on c&t that's what it's reflecting.

49
50 That's all I have to say on it. Thank you.

0055

1 CHAIRMAN EWAN: I got a question. In the State's
2 process in c&t determinations, are there comments of some of
3 what I made about being transient from one community to
4 another, is that taken into consideration under the State
5 process?
6

7 MS. ANDREWS: In the State process it's entirely up to
8 our Game Board. Staff do not comment on custom and traditional
9 proposals. And each of the board members weighs the different
10 information brought forward as to whether there's been a
11 customary and traditional use. So you won't hear staff
12 comments at a Game Board relative to these proposals on the
13 eight factors. It's the board members that do all that type of
14 analysis.
15

16 CHAIRMAN EWAN: Let me restate my question a different
17 way then. Say like take myself as an example, I live in
18 Gulkana presently but I was born and raised in Copper Center.
19 If you had c&t determination for Copper Center, say goat or
20 whatever, I would lose my hunting privilege because I moved.
21 Is that taken into consideration? They could say Gulkana
22 didn't have any record of it, but I lived there, I know, I've
23 had a record of it because I came from Copper Center which has
24 already been determined as having c&t and all that. That's
25 what I'm getting at, I'm just wondering if that's something
26 that's taken into consideration on your.....
27

28 MS. ANDREWS: Presently under the State system it's all
29 Alaska residents, we don't distinguish subsistence use by
30 communities. That's why we got into the situation we've been
31 in. When we did, prior to 1990, we looked at the community or
32 area pattern of use and that was how the board weighed the
33 different factors. Was there a community or area pattern of
34 use.
35

36 CHAIRMAN EWAN: Okay. Thank you. Any other questions
37 of Elizabeth? Okay. Thank you. Any other agency comments?
38 Ralph, did you have a question?
39

40 MR. LOHSE: I was just going to move. I thought we
41 were done with that. I was just going to move that we adopt
42 Proposal 22 so we can put it on the floor.
43

44 CHAIRMAN EWAN: We didn't skip a step here, did we?
45

46 MS. EAKON: No.
47

48 CHAIRMAN EWAN: Okay. There's a motion to adopt
49 Proposal 22; is there a second?
50

0056

1 MR. DEMENTI: Second.

2
3 CHAIRMAN EWAN: There's a motion and second to adopt
4 Proposal 22. Any further discussion or any amendment?

5
6 MR. JOHN: I'd like to amend this to include the seven
7 Ahtna villages on the -- along the Copper River and include Dot
8 Lake.

9
10 CHAIRMAN EWAN: There's a motion to amend Proposal 22;
11 is there a second? Is there any second on the proposed
12 amendment? Okay, the -- go ahead, Fred.

13
14 MR. JOHN: Let me take this back for a while, you just
15 -- this is -- right now what you got is rural residents Unit
16 12, Tanacross, North -- and Tetlin, right? When it's adopted
17 -- I mean - this is the motion that we took?

18
19 MS. MASON: Mr. Chairman, I don't know if this will
20 help but this will just state what the staff conclusion was,
21 what the Eastern Interior Council recommended and what from the
22 work sessions have, including the subcommittee of
23 (indiscernible - away from microphone) Southcentral Council and
24 Eastern Interior Council came up with.

25
26 MR. JOHN: I'll withdraw the amendment just for now so
27 I can.....

28
29 CHAIRMAN EWAN: Ralph.

30
31 MR. LOHSE: I'll offer an amendment, because the seven
32 Ahtna villages are residents of Unit 12, I'd like to include
33 all residents of Unit 11. It seems out of place to have a
34 subsistence priority in Unit 11 and not have residents of Unit
35 11. And all rural residents of Unit 12 and the Village of Dot
36 Lake. Is Tok in Unit 12?

37
38 MR. JOHN: Yeah, Tok is in 12.

39
40 MR. LOHSE: Yeah. All right. Then how about Tanacross
41 and Tetlin, are they in Unit 12?

42
43 MS. MASON: Yeah, they are.

44
45 MR. LOHSE: Yeah, because everything that's been said
46 is how mobile everybody is in that area and how they
47 interchange between the villages and that would include
48 Tanacross, Northway and Tetlin and we'll add Dot Lake to it and
49 include the residents of Unit 11 -- rural residents of Unit 11
50 and rural residents of Unit 12. Because ANILCA does address

0057

1 the fact that it's rural Native and non-Native.

2

3 CHAIRMAN EWAN: Okay. There's a proposed amendment.
4 The first amendment that Fred proposed died because there was
5 no second, so this is a new amendment. Is there a second to
6 that amendment?

7

8 MR. OSKOLKOFF: I'll second the amendment.

9

10 CHAIRMAN EWAN: There's a motion and a second to amend
11 the proposal, 22. Further discussion on the motion?

12

13 MR. LOHSE: I guess we should have rural residents in
14 front of.....

15

16 CHAIRMAN EWAN: Do we have any comments from staff?

17

18 MS. EAKON: Ralph, you want both communities of Dot
19 Lake in there? Yeah, you would, right? Both the Native
20 village and the service community of Dot Lake?

21

22 MR. LOHSE: I'll leave it that way, if someone wants to
23 amend it, they can.

24

25 MS. EAKON: Okay.

26

27 MR. LOHSE: I don't know enough about Dot Lake to make
28 any choices on Dot Lake, other than the fact that Fred has said
29 that people from Dot Lake are related to Mentasta and have come
30 down there and hunted.

31

32 MS. EAKON: The reason I asked that, Ralph, was because
33 at the joint work session the representative from Dot Lake did
34 say that it was a very important decision, that there is the
35 Native Village of Dot Lake and there is the service community
36 of Dot Lake, which is on the highway.

37

38 CHAIRMAN EWAN: Any other questions or comments? Gary.

39

40 MR. OSKOLKOFF: Mr. Chairman, for my reference, I can't
41 remember, is Tok considered rural under determination?

42

43 MS. MASON: Yes.

44

45 CHAIRMAN EWAN: Yes, they are.

46

47 MR. OSKOLKOFF: Could I get the background information
48 again on the make up of Tok and the subsistence use?

49

50 MS. MASON: It'll take me a few minutes to assemble

0058

1 that information. Are you talking about demographic
2 characteristics of the community?

3
4 MR. OSKOLKOFF: Yeah, there seems like there was some
5 discussion -- the reason I bring it up was there was some
6 discussion whether there was much subsistence use and many
7 Native residents in Tok and I'm not familiar -- I've been
8 through Tok a few times but I'm not familiar enough with the
9 area. Perhaps somebody could enlighten me as to what situation
10 is.

11
12 CHAIRMAN EWAN: Gary, from what I heard at the joint
13 committee meeting, what I heard is some comments, I forget
14 which individual made those comments, but he didn't consider
15 flying over the Wrangell Mountains from Tok a traditional,
16 customary thing. That was one objection he had of Tok being
17 included here.

18
19 The other argument for including Dot Lake was the same
20 thing that Fred kept saying, I think I've heard him say it for
21 a couple of years now and that is those people are all related.
22 Fred can really -- if he want to give you a family tree he can
23 prove to that those people from Dot Lake are related to his
24 people and came from Batzulnetas.

25
26 And maybe you want to comment about that, Fred. I
27 think it would be good to enlighten the Council about the
28 people that make up Dot Lake and Tanacross and that area.

29
30 MR. JOHN: Right now from what I know about the
31 interrelationship I'll support the seven village of the Ahtna
32 region and Dot Lake, but I can't support Tok, yet and the other
33 villages. I want them to bring in their proposal for their t&c
34 (sic) and I did say, yes, we're all interrelated up that way,
35 but if you look at it, Tanacross is almost a completely
36 language -- language-wise they're completely a little different
37 than us. They're hunting area kind of include another area,
38 but there's family in there that did hunt in our area.

39
40 The only one right now I'd support, and I've been
41 saying this for a long time, is Dot Lake because Dot Lake is a
42 sister village to Mentasta, just like Chistochina is a real
43 close -- and they originally come from, you know, the parks
44 area. And the rest I -- I mean, right at this moment I'll say
45 not I wouldn't support Tok or the rest until later on.

46
47 CHAIRMAN EWAN: To add to that, Ralph, for your
48 information, I think there's a little difference between Tok
49 and, say, some of the old Native communities. Fred, I thought,
50 made a good comment about Dot Lake in our joint committee

0059

1 meeting. He specifically named names of who was related to who
2 and I was surprised to know that practically half, or maybe
3 more, of the Dot Lake people were from this community I just
4 mentioned.

5
6 Batzulnetas is what the Natives call that community,
7 Dora Charles, who has a lot of relatives in Dot Lake right now,
8 originally came from there and Gene Henry, another elder, came
9 from near Unit 11. In fact, it was in Unit 11, right, or near
10 that area anyway. I guess that is what I was saying earlier.
11 We don't want to have these people just because they moved to
12 another community years back lose their right to hunt in an
13 area that they traditionally hunted when they were younger and
14 so on.

15
16 MR. LOHSE: Yeah, I agree with you on that, Roy, I
17 don't -- and that's -- I don't see any problem at all with Dot
18 Lake. But that's the same reason that I don't see a real
19 problem with Tok. Because I know when we were at that meeting
20 in Glennallen we had both Native and non-Native residents of
21 Tok testify about hunting in Unit 11. And Tok is a mixed
22 community. I mean if you would eliminate Tok you eliminate
23 long term non-Native residents and you eliminate Native
24 residents who live in Tok. And I just don't like the idea of
25 eliminating a rural resident because they live in one community
26 and don't live in another. Just exactly what you were saying,
27 the fact that you move from one community to another should not
28 eliminate you.

29
30 CHAIRMAN EWAN: But they moved from New York not in
31 Alaska.

32
33 MR. LOHSE: Yeah, but some of the people who testified
34 in Glennallen, they're Native Ahtna people who moved to Tok.

35
36 CHAIRMAN EWAN: I just wanted to distinguish the
37 difference, you know. We're talking about moving from Unit 11
38 over to that South Lake or whatever. These people in Tok
39 cannot prove -- some of them could probably prove to me that
40 they came from our Unit 11 or that area there and moved to Tok.
41 That's the difference, that's what I was trying to find out.

42
43 Rachel.

44
45 MS. MASON: Mr. Chairman, on Page 142 of the book there
46 is some information on Tok in response to Gary's question.
47 This is a comparison of the socioeconomic characteristic of the
48 various communities of the Upper Tanana region and it shows
49 that -- there's several ways that Tok is distinct from the
50 other communities. One is that it's quite a bit larger, it is

0060

1 more heterogeneous, the percent of the people that were born
2 locally or born in the region is only eight percent as opposed
3 to 90 percent or 91 in Tetlin and Tanacross.

4
5 Tok has an average earned income that's much larger
6 than the other communities. It's cheaper to buy food there.
7 There's a variety of factors show that it's distinct. However,
8 as Ralph has pointed out, there are different portions of the
9 population in Tok and this simply deals with averages. The
10 average income, the average years residency and so forth.

11
12 Also speaking in terms of average, the average Tok
13 household harvests only four different resources whereas in
14 other communities it's 10 or more in the Upper Tanana region.
15 So there are some difference with the other Upper Tanana
16 communities but I guess it is also important to keep in mind
17 that there are different sectors of the population in Tok, so
18 it's not speaking of every person in Tok to say these things.

19
20 CHAIRMAN EWAN: Thank you. I just want to point out
21 for Ralph's benefit that I'm not speaking in opposition or
22 anything, I'm just pointing out the way I see it, you know.
23 The comments that were made, as I recall them, at the joint
24 meeting we had in Fairbanks. I think I kind of agree with you
25 that I don't like to exclude anyone but I'm always kind of in
26 favor of the community coming forward themselves and saying,
27 hey, include my community also, rather than, saying, someone
28 from another area recommending this community be included. I
29 agree with you, generally, I agree with you. That is what our
30 discussion, I guess, dealt with, they said, let's get these
31 communities for sure since we know we've had enough input from
32 Fred and others here to back us up and that these other
33 communities can later on be added. I'm not saying, like I say,
34 recommend that we exclude any community, I'm kind of with you
35 on this.

36
37 Ralph.

38
39 MR. LOHSE: The only thing is that this proposal
40 basically came from Tok, you know, so if we're going to wait
41 till they put a proposal in, we have their proposal in front of
42 us right now. That's where the problem comes in. So what
43 we're doing is we're making a determination on their, you know,
44 on their request.

45
46 CHAIRMAN EWAN: Okay. Are we down to just the Council
47 recommendation and motion now? Okay. I'll entertain any
48 motion that you want to make then to this proposal.

49
50 MR. LOHSE: We have an amendment on the floor.

0061

1 MR. OSKOLKOFF: Maybe you could restate the motion and
2 the amendment.

3
4 MR. LOHSE: Yeah, the amendment said was to include the
5 rural residents of Unit 11, the rural residents of Unit 12 and
6 Dot Lake. And that was seconded. If I remember right, you
7 seconded it.

8
9 CHAIRMAN EWAN: Okay. Yeah, we do have that, you did
10 make it, that's right. Okay. There was an amendment proposed
11 by Ralph. Any further discussion on that proposed amendment?

12
13 MR. DEMENTI: Question.

14
15 CHAIRMAN EWAN: Question is called for. Question has
16 been called for down here.

17
18 MR. JOHN: (Indiscernible - away from microphone)

19
20 CHAIRMAN EWAN: The question's been called for, I guess
21 I got to call for the -- all in favor of this proposed
22 amendment say aye.

23
24 MR. LOHSE: Aye.

25
26 CHAIRMAN EWAN: Opposed by the same sign.

27
28 (No opposing responses)

29
30 CHAIRMAN EWAN: Okay. I guess the proposed
31 amendment.....

32
33 MR. JOHN: I still don't understand. This would
34 include all the rural residents of Unit 12.....

35
36 CHAIRMAN EWAN: Well, let me rule on this. Are you
37 opposing the amendment or how are we doing this?

38
39 MR. JOHN: Are we still on the amendment right now?

40
41 CHAIRMAN EWAN: Yeah. We voted, we just voted. In
42 your opposition to this it's kind of like a tie vote then. Are
43 you in opposition to the amendment?

44
45 MR. JOHN: I really don't understand what I'm voting
46 for yet.

47
48 CHAIRMAN EWAN: Okay. Either opposition to Ralph.....

49
50 MR. JOHN: Okay, if I vote for this eastern -- I mean

0062

1 the Native Village of Mentasta.....

2

3 CHAIRMAN EWAN: No, we were -- the only amendment that
4 we're voting on is the last one right there, the one red.

5

6 MR. LOHSE: Fred, the only amendment we have on the
7 table is.....

8

9 MR. JOHN: Oh, the one in red.

10
11 MR. LOHSE: Yeah. The rest of those were
12 recommendations by somebody else. We had an amendment made and
13 seconded on the last one.

14

15 MR. JOHN: I vote against it.

16
17 CHAIRMAN EWAN: You vote against it. Okay. Then
18 there's a tie vote here so.....

19

20 MS. EAKON: What was the vote?

21

22 CHAIRMAN EWAN: Ralph was the only one that actually
23 vote for and -- do you want to vote again, re-vote? The motion
24 dies, it doesn't pass with a tie vote.

25

26 Okay. We're back to ground zero again, let's start
27 over again then. Any other proposed amendment? I understand
28 that this is a little bit hard to understand. Let me tell you
29 what I support. I support what the recommendation number 2 up
30 there. Native Village of Dot Lake, Chistochina, Gulkana,
31 Gakona, Mentasta, Copper Center and Tazlina. That doesn't mean
32 I want to exclude any community, we can add another community
33 there if we want to, but that's our start.

34

35 I know for sure that we can -- you know, dig into the
36 history somewhere and find out -- will back these communities
37 for sure. I'm sure these communities had c&t over there and
38 use and we can add other communities in the future as I said.

39

40 MR. LOHSE: We'll we're missing Chitina on that, so I
41 would make the motion that we amend this to include the Native
42 Village of Dot Lake and the communities of Chitina,
43 Chistochina, Gulkana, Gakona, Mentasta, Copper Center, Tazlina
44 and the rural residents of Unit 11.

45

46 MR. BRELSFORD: Ralph, that was Unit 11?

47

48 MR. LOHSE: Yes.

49

50 MR. BRELSFORD: The addition, plus rural residents of

0063

1 Unit 11?

2

3 MR. BRELSFORD: Yes.

4

5 CHAIRMAN EWAN: Is there a second to that motion?

6

7 MR. ROMIG: I'll second that motion.

8

9 CHAIRMAN EWAN: There's a motion and a second to that
10 motion. Any further discussion on that motion?

11

12 MR. BRELSFORD: Excuse me, Ralph, did you have Tonsina
13 in your version?

14

15 CHAIRMAN EWAN: He included Unit 11.

16

17 MR. LOHSE: No, Tonsina is in Unit 12.

18

19 CHAIRMAN EWAN: Oh, is it.

20

21 MR. LOHSE: Yeah.

22

23 MR. JOHN: Ralph.

24

25 MR. LOHSE: Yeah.

26

27 MR. JOHN: You included Dot Lake on there, right?

28

29 MR. LOHSE: I included Dot Lake and I added Chitina, I
30 didn't see.....

31

32 CHAIRMAN EWAN: If you're adding Chitina, you're adding
33 Tonsina as well, I think.

34

35 MR. LOHSE: Yeah, Tonsina should be in there.

36

37 MS. MASON: Tonsina also?

38

39 MR. LOHSE: Yeah.

40

41 MS. MASON: Okay.

42

43 MS. MASON: And just to clarify, did you want just the
44 Native Village of Dot Lake or all Dot Lake?

45

46 MR. LOHSE: I'll go for the Native Village of Dot Lake.

47

48 CHAIRMAN EWAN: Any further discussion?

49

50 MR. LOHSE: Those are all the rural communities of Unit

0064

1 12, aren't they, other than Cantwell?

2

3 MS. MASON: Actually those are not Unit 12 communities,
4 they're.....

5

6 CHAIRMAN EWAN: Eleven.

7

8 MR. LOHSE: Thirteen.

9

10 CHAIRMAN EWAN: Thirteen and 11.

11

12 MR. LOHSE: They're all 13 except for Unit 11.

13

14 MS. MASON: There are no Unit 12 communities.

15

16 MR. LOHSE: So what we could have done is.....

17

18 CHAIRMAN EWAN: How about Mentasta?

19

20 MS. MASON: That's no in Unit 12.

21

22 CHAIRMAN EWAN: Okay.

23

24 MR. BRELSFORD: But it would be included in Ralph
25 selection.

26

27 MS. MASON: Correct.

28

29 MR. LOHSE: So what we have are the rural villages of
30 Unit 13 and Unit 11?

31

32 MS. MASON: Well, it's not all the rural -- it's the
33 seven traditional Ahtna village plus Mentasta and the rural
34 residents of Unit 11. And also Dot Lake in Unit 20(D).

35

36 CHAIRMAN EWAN: Any further discussion on the proposed
37 amendment? Somebody call for the question?

38

39 MR. ROMIG: Question.

40

41 CHAIRMAN EWAN: Question is called for, all those in
42 favor signify by saying aye.

43

44 IN UNISON: Aye.

45

46 CHAIRMAN EWAN: Opposed by the same sign.

47

48 (No opposing votes)

49

50 CHAIRMAN EWAN: Motion is carried. That takes care of

0065

1 that amendment. Now we have to go back to the main motion.

2

3 MR. BRELSFORD: Mr. Chairman, for the record, I wasn't
4 able to follow the number of voice votes, could you tell us
5 what the record should reflect as far as the vote?

6

7 CHAIRMAN EWAN: You want a roll call?

8

9 MR. BRELSFORD: If you have a count.....

10

11 MR. LOHSE: It's unanimous.

12

13 CHAIRMAN EWAN: Turned out unanimous.

14

15 MR. LOHSE: There was nothing opposed.

16

17 MR. BRELSFORD: So it was six in favor, zero opposed?

18

19 MR. OSKOLKOFF: It's different for unanimous, that
20 means nobody opposed.

21

22 MR. BRELSFORD: Well, I think Don was away from his
23 seat.

24

25 CHAIRMAN EWAN: There was no opposition, okay? Okay.
26 On the main motion then, that was the amendment. Further
27 discussion on the main motion? Ready to vote?

28

29 UNIDENTIFIED: Question.

30

31 CHAIRMAN EWAN: Question is called for, all those in
32 favor of Proposal 22 as amended say aye.

33

34 IN UNISON: Aye.

35

36 CHAIRMAN EWAN: Opposed by the same sign.

37

38 (No opposing votes)

39

40 CHAIRMAN EWAN: Okay. No opposition, the motion is
41 passed. Do we have time for another one? All right. Let's
42 get on to Proposal 23 and Rachel.

43

44 MS. MASON: Thank you, Mr. Chairman. This proposal
45 begins on Page 35 in your book. This proposal requests a
46 positive customary and traditional use determination for brown
47 bear in Units 11, 12, 13 and 20(E) for rural residents of Unit
48 12, residents of 20(D), east of the Johnson River and residents
49 of Healy Lake. And again, I recommend that you use this map,
50 the regional map to refer to as we talk about the different

0066

1 communities.

2

3 And, in fact, it would probably be helpful just in
4 order to understand the proposal to take a look at this map.
5 Unfortunately there are portions of it, like there's nothing
6 here that shows 20. 20(E) is further north and 20(D) is
7 northwest of the area on your map in Region 2. It might help
8 to consult your regulations book as I see Gilbert is doing
9 already.

10

11 20(D), east of the Johnson River includes Dot Lake but
12 doesn't include Healy Lake and Healy Lake is also part of the
13 request. Healy Lake is also in 20(D), but it is not east of
14 the Johnson River. Currently there is not Federal subsistence
15 priority for brown bear for any of Unit 11, 12, 13 or 20(E) and
16 it should also be noted that Federal regulations require the
17 salvage of brown bear meat for human consumption in order to
18 qualify for a subsistence use. So this analysis is
19 particularly focused on harvest of brown bears for food.

20

21 Brown bear had been a great ritual importance to the
22 Athabaskans who are indigenous to this region. Presently brown
23 bear meat contributes very little overall to the diet of the
24 residents of this region. Although there have been some
25 residents who have eaten brown bear fat when they have not
26 eaten the meat. But the meat and fat together still constitute
27 very little -- contribute very little at this time to the diet
28 of the residents of the region.

29

30 In the past 50 years some Ahtna people refuse to eat
31 bear because if it's ritual danger and it is surrounded by
32 taboo but other has prized the fat and eaten the fat, so within
33 the last 50 years it has been taken. Presently some brown
34 bears that are presently taken continue to be used for meat and
35 fat, also for other uses, such as the fur and sinew, but there
36 are very low harvests.

37

38 Because there are rituals and secrecies surrounding
39 bear harvest, including taboos against mentioning the bear's
40 name or announcing one's intention to hunt, it's quite possible
41 that a lot of brown bear harvests have gone unreported. And
42 it's also possible as in some areas of Alaska that the elders
43 still desire brown bear for meat whereas the younger generation
44 are not so interested in eating it. However, very little
45 information has been found that suggests that the contemporary
46 residents that are listed in this proposal are interested in
47 harvesting brown bear to eat.

48

49 The recorded harvests have occurred predominantly in
50 Units 12 and 20(E). There doesn't seem to be a strong

0067

1 tradition among Upper Tanana residents of traveling to either
2 Units 11 or 13 to harvest brown bear and the only Upper Tanana
3 community whose residents have reported hunting brown bear in
4 Unit 11 are Tok residents and actually they have reported
5 hunting it there but not harvesting. And Tanacross residents
6 as well as Tok residents have reported hunting brown bear in a
7 very small portion of Unit 13(C) and also in Unit 20(D).

8
9 No information was available on the customary and
10 traditional harvest of brown bear by the residents of the Unit
11 20(D) community of Healy Lake, although Chuck Miller as the
12 subcommittee meeting, a resident of Dot Lake, said that he has
13 knowledge that the people in Healy Lake do still eat brown
14 bear.

15
16 Our conclusion was to reject the proposal on grounds of
17 the very, very low harvest of brown bear for food at this time.
18 The Eastern Interior action on this was to adopt the proposal
19 as written. And that's what they did yesterday.

20
21 That's all I got.

22
23 CHAIRMAN EWAN: All right. Thank you, Rachel. So your
24 original recommendation still stands then, to reject?

25
26 MS. MASON: Yes.

27
28 CHAIRMAN EWAN: All right. Any questions of Rachel?
29 Go on to written comments then.

30
31 MS. EAKON: Yes, Mr. Chair, we received three comments
32 on this proposal. The first was from the Alaska Department of
33 Fish and Game which has deferred final comments. They do state
34 that residents of these units have occasionally hunted brown
35 bear. It is unclear if the available documentation for the
36 subject communities supports a positive c&t finding in the
37 areas for which positive c&t determinations are requested.

38
39 The Wrangell/St. Elias National Park Subsistence
40 Resource Commission supports an amended proposal which would
41 include all rural residents of Units 11, 12, 13 and Dot Lake.

42
43 The Upper Tanana Forty-Mile Fish and Game Advisory
44 Committee in Tok supports the proposal. They recommend that
45 Upper Tanana residents be acknowledged and granted c&t use in
46 Units 11, 12, 13, 20(D), 20(E), 25(B) and (C).

47
48 And that concludes the written comments.

49
50 CHAIRMAN EWAN: Any comments or questions? If not,

0068

1 we'll go on to the agency comments. Oh, no, open to the public
2 first, excuse me. Any comments from the public on this
3 proposal? (Pause) Any agency comments, Federal or State?

4
5 MR. SANDERS: Yes, Mr. Chairman, my name is Gary
6 Sanders and Helga read the State's comments into the record and
7 as Elizabeth said earlier, we will not be adding comments to
8 the c&t at this time. Thank you.

9
10 CHAIRMAN EWAN: All right. Thank you very much. Okay.
11 We're done to the Council deliberation and recommendation.
12 What do you want to do with this proposal? Ralph.

13
14 MR. LOHSE: Can I ask a question? I should have
15 probably asked it of -- probably Bob can answer this as good as
16 anybody. Currently residents of Unit 11 have no subsistence
17 priority for brown bear in Unit 11, residents of Unit 12 have
18 no subsistence priority for brown bear in Unit 12. Residents
19 in Unit 13 have no subsistence priority for brown bear in Unit
20 13. So what it looks to me almost like is what we have is we
21 got residents of Unit 12 looking for a subsistence priority in
22 areas that don't have subsistence priorities themselves for it.

23
24 CHAIRMAN EWAN: So your kind of thinking of going along
25 with the staff recommendation?

26
27 MR. LOHSE: Was it the staff's recommendation that we
28 defer action on this?

29
30 MS. MASON: No, to reject.

31
32 MR. LOHSE: Reject. Whose recommendation was it to
33 include all rural residents of Unit 11, 12, 13 and Dot Lake?

34
35 MS. MASON: That was the Wrangell/St. Elias Subsistence
36 Resource Commission.

37
38 MR. LOHSE: Oh, okay.

39
40 CHAIRMAN EWAN: We don't have anybody from the
41 Wrangell/St. Elias National Park, do we, to comment on that?

42
43 MR. JOHN: Mr. Chairman.

44
45 CHAIRMAN EWAN: Fred.

46
47 MR. JOHN: Yeah, Wrangell/St. Elias recommending adopt
48 this and I guess this open up -- to me right now this open up
49 almost everybody in Unit -- in areas that I see don't have c&t.
50 Up in 20(D), in Unit 11 and it seems to me this open up

0069

1 everything and I'll go against it.

2

3 CHAIRMAN EWAN: Ralph.

4

5 MR. LOHSE: Yeah, I was going to say that when you
6 don't even have people from the unit requesting a Federal
7 subsistence priority I would prefer to defer action on this one
8 or reject it, one or the other.

9

10 CHAIRMAN EWAN: Any other comments?

11

12 MR. OSKOLKOFF: Mr. Chairman, a general comment. I ran
13 into the same problem with this proposal that I had with the
14 last proposal. And we're dealing with goat and then bear here,
15 brown bear. There seem to be a lot of communities lumped
16 together in one proposal, a variety of areas, and when we dealt
17 with the Kenai Peninsula, for instance, we broke it down by
18 community, we were very specific and we got to hear a lot of
19 the details on each specific community.

20

21 And I know we have this information in here but going
22 through it in this proposal format -- you know, I appreciate
23 that people are trying to be expedient, but on the other hand I
24 kind of feel lost in that you're having to pick and choose from
25 such a large matrix of proposal areas and then also villages
26 within those areas and then use within each one of those
27 villages and various other -- the eight criteria having to be
28 met and a variety of other subjects.

29

30 To me, I would like to defer action so we could maybe
31 break this down a little bit better and have a little more time
32 to digest. I appreciate all the work that the staff did on
33 this, but we have to somehow stuff it into our brains here and,
34 at least for mine, I think either I don't have enough room or
35 it's full, one or the two, and you can make up your own minds
36 on that.

37

38 But it's pretty hard to make a blanket decision and I'd
39 feel more comfortable dealing with it on a perhaps area by area
40 level or even a village by village level in some cases. And
41 that's just a general comment. I think if we -- I know staff
42 approaches it that way, but it's very hard looking at the
43 multi-page matrices that I see before me.

44

45 CHAIRMAN EWAN: Fred.

46

47 MR. JOHN: Roy, I agree with Gary, the last one on the
48 goat I was almost totally confused on there, you know, because
49 it did just open up everything and this did too. I'd like more
50 go by village by village and town by town, like we did in

0070

1 Kenai. And I mean the last one I really didn't know what I did
2 yet. Probably get shot for it, but I agree with Gary, this
3 here just open up everything for everybody, you know, and I'm
4 totally against that. I'd like to see t&c (sic) from each
5 community, from each little town. Like I say, I don't like to
6 say -- I don't -- I'm for t&c (sic) and these lines the State
7 draw, you know, it bothers me because I'd rather see it from
8 the communities instead of from the rural area of a unit
9 because right in the Dot Lake area right now there's -- like I
10 said there's a religious community right there that going to
11 get all the benefit, t&c (sic) that I don't believe they -- you
12 know. Unless they come on the coat tail of Dot Lake. But I'd
13 rather go by communities when we make these decisions for t&c
14 (sic). I don't think there's any rules against that.

15
16 CHAIRMAN EWAN: Thank you, Fred. I think I kind of
17 agree with that. There are, you know, questions in everybody's
18 mind about being too broad and approving large areas and so on.
19 I tend to agree with that. I know that we did that in a
20 previous proposal on the goat, but then I also think that I do
21 not want to leave out communities that is why I specifically
22 stated in previous proposals that I was not opposed to adding
23 communities, but I just made a statement of Tok. I did not
24 want the people of Tok thinking I was opposed to Tok being
25 included. I want to be very specific about that. I hope
26 somebody will come forward and add that community and other
27 communities that want to be included.

28
29 I think it would be easier for us to deal with
30 community by community or, you know, just be more specific
31 about any proposals than to kind of give a blanket approval for
32 such a large area. That's Unit 11, Unit 12, Unit 13, Unit
33 20(E), that's a large area we're talking about. That does
34 bother me. I don't mind deferring it and if we do defer I was
35 going to ask process-wise, do we have any -- can we still deal
36 with it this year?

37
38 (Off record comments - many voices discussing)

39
40 MR. BRELSFORD: Mr. Chairman, at the present time if
41 this Council were to recommend deferral then your action would
42 constitute a recommendation to the Board. If at the present
43 time you recommend deferral you would not meet in public
44 session again before the Board would take this matter up in
45 April so your action today would be what goes to the Board as
46 the vote, the majority action of this Council.

47
48 During the Board meetings on occasion council chairs
49 representing their councils have been called on to offer
50 personal opinions and knowledge about compromises or proposed

0071

1 changes as two councils try to reconcile conflicting views, but
2 when the council chairs are asked their opinions in that
3 fashion, those are not motions and recommendations of the
4 Council as a whole because the Council has not met again to
5 consider that.

6
7 So I think the specific answer to your question is that
8 the recommendation adopted by the Council here today goes to
9 the Board as the majority opinion of the Council as a whole.
10 And it is a difficult matter for the Board to move too far away
11 from recommendations from recommendations by the councils, they
12 have to consider the councils' recommendations as they were
13 made in public meetings.

14
15 So I think today is the decision time and if your
16 recommendation is to defer I think the Board would -- certainly
17 would consider it. And if they were to agree, if they were to
18 go along with the notion of deferring then the whole matter
19 would be set forward to next year rather than on some
20 intermediate period.

21
22 CHAIRMAN EWAN: Thank you very much. Ralph.

23
24 MR. LOHSE: Taylor, could I ask you a question. Do I
25 understand right thought that if they decide not to defer then
26 they will consider the comments from the other Regional Council
27 and have no comments from us to consider?

28
29 MR. BRELSFORD: That would be correct. The full range
30 of information, the technical staff analyses, the comments of
31 the Wrangell/St. Elias Subsistence Resource Commission, of the
32 Eastern Interior Council also affected by this proposal, all of
33 that would still be on the table, that's correct.

34
35 MR. LOHSE: So if we want to have any comment on it we
36 need to make comment at this time.

37
38 MR. BRELSFORD: This is a pretty critical juncture for
39 your Council, yes.

40
41 CHAIRMAN EWAN: Well, let us make so more comments
42 then.

43
44 MR. LOHSE: I'll make a motion then that we approve
45 Proposal 23 so we can put it on the table.

46
47 CHAIRMAN EWAN: There's a motion to adopt Proposal 23,
48 is there a second?

49
50 MR. OSKOLKOFF: Second.

0072

1 CHAIRMAN EWAN: The motion seconded. Any further
2 discussion? Ralph.

3
4 MR. LOHSE: I think this motion is inappropriate when
5 you don't even have subsistence priorities for people who live
6 in the area, to give subsistence priorities to people who don't
7 live in the area, so I'm going to vote against it.

8
9 MR. OSKOLKOFF: Mr. Chairman, can I ask when was this
10 proposal received originally, is this this years proposal or
11 backlog?

12
13 MS. MASON: It's a combination of backlog and -- let's
14 see, no, this one came in this year. It was submitted this
15 year.

16
17 MR. OSKOLKOFF: Okay.

18
19 CHAIRMAN EWAN: On comments, I just want to say this,
20 you know, from my knowledge of the village, you know, that I'm
21 familiar with in our region there has been a history of past
22 use of brown bear fat, you know, in their diet. And I guess in
23 some cases there have been actual use of the meat of brown
24 bear. I know that it isn't their number 1 choice for
25 subsistence, people would prefer caribou, moose or sheep or
26 something else over brown bear, but if you're talking about
27 subsistence there is, I believe, history in our region of use
28 of brown bear for subsistence for some.

29
30 I'm not speaking for or against this proposal I,
31 myself, would be more in favor of deferring it because I think
32 because I think we ought to really study it and make sure that
33 we don't leave out any subsistence user that really has a need
34 for this. You know, whether the Board will go along with this,
35 I don't know, but that's my first thought about that, just kind
36 of defer the proposal.

37
38 Any other comments or -- Ben, you want to give us
39 a.....

40
41 MR. ROMIG: Well, I tend to agree with Ralph on this
42 and it's too big of a blanket area going into it. I'd have to
43 agree with Ralph and Fred on this and vote against it.

44
45 CHAIRMAN EWAN: Reject it?

46
47 MR. ROMIG: Right.

48
49 CHAIRMAN EWAN: You're for rejecting. Any other
50 comments? Gary.

0073

1 MR. OSKOLKOFF: Just one and it might help people in
2 the future on their proposals. I'm always in favor of, and I
3 spoke to this before, of having a -- doing it the opposite way,
4 essentially, than we've been doing it and having a subsistence
5 priority and then finding reasons not to perhaps give in
6 certain locales or towns a subsistence priority. I think
7 subsistence has a priority over all other forms of harvest and
8 that's my logic in how I approach this.

9
10 Therefore, I would like to vote in favor of the
11 proposal, but at the same time because of perhaps the way the
12 proposal is structured, more than anything else, more than the
13 substance of the proposal, i find it difficult to be convinced
14 of all the little -- for lack of a better term, the nooks and
15 crannies and all the little criteria that have been met in mind
16 and therefore I'll vote against the proposal at this time. But
17 I have to agree with the Chairman that I believe there's a need
18 for -- and a justification for a brown bear subsistence
19 priority in some of these villages and some of these areas and
20 for some of these people, but I can't pick it out of this
21 proposal the way that it's in front of me right now, therefore,
22 I'll vote against it.

23
24 CHAIRMAN EWAN: Ralph.

25
26 MR. LOHSE: I'll definitely agree that there is
27 subsistence use of brown bear, I just -- I guess what bothers
28 me the most is that we're not dealing with the people who
29 actually live in the areas that we're talking about. I know
30 for a fact I've been (indiscernible -- simultaneous speech)

31
32 CHAIRMAN EWAN: (Indiscernible -- simultaneous speech)

33
34 MR. LOHSE: Yeah. I mean, we're dealing Unit 11 but
35 we're not dealing with any residents of Unit 11. We're dealing
36 with Unit 13 but the proposal as written doesn't deal with any
37 residents of 13, it doesn't establish a subsistence priority
38 for Unit 13 for Unit 13 residents, so, you know, it's hard to
39 go and establish, you know, a rural -- a subsistence priority
40 for people in Unit 12 or away from Unit 13 and not establish
41 one for Unit 13 at the same time. And I agree with Gary on
42 that, that's a pretty broad stroke if we just went and said
43 that all rural residents of 11, 12, 13, 20(E) and Dot Lake have
44 subsistence priority there.

45
46 CHAIRMAN EWAN: Thank you, Ralph. I just want to ask
47 staff if they agree with what Ralph is saying here about.....

48
49 MS. MASON: That it's a very broad stoke?

50

0074

1 CHAIRMAN EWAN: Well, he said that we're not -- this
2 proposal doesn't really affect the rural -- how did you say
3 that?

4
5 MR. LOHSE: It doesn't affect the rural residents who
6 live in the proposed areas.

7
8 MS. MASON: That is a point very well taken and applies
9 to other proposals as well.

10
11 CHAIRMAN EWAN: Okay. Any other comments?

12
13 MR. DEMENTI: Question.

14
15 CHAIRMAN EWAN: Question is called for. This is just
16 on the main proposal, right? Okay. On Proposal 23, all in
17 favor signify say aye.

18
19 (No positive responses)

20
21 CHAIRMAN EWAN: Opposed by the same sign.

22
23 IN UNISON: Aye.

24
25 CHAIRMAN EWAN: Motion is not carried. Proposal 23
26 does not pass.

27
28 I believe it's lunch time. We'll take -- how long
29 should we take a lunch? 1:30? Okay. We'll take a lunch break
30 till about -- come back at 1:30.

31
32 (Off record)

33
34 (On record)

35
36 CHAIRMAN EWAN: I will call the meeting back to order.
37 I believe we got done with Proposal 23 before we left and we're
38 on Proposal 24, is that correct?

39
40 MS. MASON: Yes.

41
42 CHAIRMAN EWAN: This is for Unit 11, 12 and 13, for
43 caribou, to revise customary and traditional use determination.
44 I'll turn it over to you, Rachel.

45
46 MS. MASON: Thank you, Mr. Chairman. This is Proposal
47 24 and the staff analysis starts on Page 67 of your books.
48 This proposal is a conglomerate of different backlog proposals
49 as well as new ones that were submitted this year. And we have
50 named the sub-proposals Proposals 24A through 24H, and they were

0075

1 submitted by a variety of individuals, groups and
2 organizations, but all of them request changes to existing
3 regulations for caribou in Units 11, 12, and 13.

4
5 Most proposals were submitted for particular herds and
6 during the time since they have been submitted the program has
7 gone more to managing by unit for residents of a particular
8 community or area to harvest caribou within the unit rather
9 than by herd. So we had to take that into account considering
10 the analysis.

11
12 Also at the outset I wanted to draw attention to
13 something on misinformation. On Page 69 it says that the State
14 subsequently dropped the use of the eight criteria and that's
15 misinformation, that's not true.

16
17 This is a particularly complex issue and in this region
18 the question of customary and traditional eligibility is made
19 even more complex by the heterogeneity of the communities
20 involved. And as was discussed earlier this morning, the
21 mobility of the people that live in this region, there's among
22 both Natives and non-Natives there is considerable variation in
23 the length of residence in the communities and so it's
24 important that we consider the composition of the communities
25 in order to best give a c&t determination for the people that
26 historically lived in a particular area or used a particular
27 area for hunting caribou.

28
29 What I'm going to do is go through each of the
30 sub-proposals, 24A through H and let you know what our
31 preliminary conclusion was from it. And then in order to help
32 you in considering this conglomerate proposal we have a summary
33 of what the existing c&t is and what the preliminary
34 recommendation would come up with in the analysis.

35
36 And one word of warning on that is as worded some of
37 the proposals it would seem that if we adopted the proposal it
38 would eliminate all the existing c&t and substitute instead the
39 communities that are proposed when, in fact, sometimes there's
40 ambiguity whether the proposer wanted to add the community to
41 the existing communities or to erase all the existing
42 communities from the c&t and substitute one, so I suggest that
43 in the Council's recommendation that there be -- that be
44 clarified, that you say whether you are adding communities or
45 substituting them.

46
47 So with that I'll go on to Proposal 24A. And this was
48 a very broad and sweeping request to revise the customary and
49 traditional use determination for caribou in Units 11, 12, 13,
50 to make them consistent. And our conclusion was to recommend

0076

1 reject that proposal, just because there's not sufficient
2 information at present to make such a broad change.

3
4 As I said, there's a very high degree of variation
5 among the communities and a lot of distances involved so
6 instead of considering that proposal as a whole, we chose to
7 consider each of the sub-proposals individually. And another
8 point in regard to this first broad sweeping proposal is that
9 the main intent of this proposal would appear to be to expand
10 subsistence hunting opportunities for residence of Unit 12 and
11 that's an issue that is addressed in many of the other
12 sub-proposals.

13
14 The rest of the parts of Proposal 24 the request varies
15 combinations of different communities in Unit 11, 12 and 13 for
16 caribou. Well, actually, 20 is involved, too, for caribou in
17 Units 11, 12 and 13.

18
19 24B asks that the residents of Dot Lake and Tanacross
20 be given a customary and traditional use determination for Unit
21 11 caribou. And our recommendation was to reject that because
22 by adopting Proposals 24C and G the intent of that proposal
23 would be covered.

24
25 24C, the next one, requests that residents of Unit 12,
26 20(E) and of Villages of Mentasta Lake and the Native Village
27 of Dot Lake be allowed to hunt in Unit 12. And that residents
28 of 12, 20(E) and the Villages of Dot Lake and Mentasta Lake be
29 allowed to hunt in Unit 12.

30
31 For your reference, if you want to follow along with
32 all these communities, I suggest you use the Region 2 map here
33 and these are both for hunting in Unit 12. In this particular
34 proposal it's asking for residents of Unit 12 and 20(E) and
35 Mentasta Lake and Dot Lake be allowed to hunt in Unit 12.

36
37 Our conclusion was to adopt 24C with modification and
38 this modification would give a positive c&t for caribou in Unit
39 12 to the residents of Unit 12, Dot Lake and Mentasta Lake.
40 The change from the request is not to include the communities
41 in 20(E). And the reason for that is that we don't have any
42 information on the caribou uses by communities in 20(E). Those
43 would be Chicken and Eagle, I believe. And I'm not familiar
44 with any information on those communities.

45
46 There is, on the other hand, strong support for
47 positive c&t in Unit 12 for the communities of Northway,
48 Tanacross, Tetlin and Dot Lake, as well as -- excuse me, and
49 Tetlin, as well as two communities outside of Unit 12 that are
50 considered here, which are Dot Lake and Mentasta Lake.

0077

1 The community of Tok is more difficult to assess for
2 some of the reasons that came up in the discussion of the goat
3 proposal, in response to Gary Oskolkoff's question about the
4 characteristics of Tok. But it clear that the caribou use by
5 some of Tok's population does exemplify the eight factors that
6 would suggest traditional -- customary and traditional
7 eligibility.

8
9 So adoption of the modified version of 24C would give a
10 positive c&t to the community of Tok along with all the other
11 Unit 12 communities in Unit 12.

12
13 Proposal 24D requests that existing regulations be
14 expanded to include all the residents of Unit 12 in Unit 12.
15 And that has been covered, the intent of that proposal was
16 covered if the Council chooses to support Proposal 24C.

17
18 Proposal 24E requests again that Unit 12, caribou use,
19 be expanded to include the residents of Northway, Tetlin and
20 Mentasta Lake. A recommendation was to reject. Again, because
21 the main intent of this proposal would be covered by a modified
22 version of Proposals 24C and 24G.

23
24 Proposal 24F requests a c&t use determination for the
25 villages of Tetlin, Northway, Tanacross, Dot Lake, Eagle and
26 Healy Lake for Nelchina caribou in all three units. Our
27 preliminary conclusion was to reject this. Again, because the
28 main intent of the proposal would be dealt with by adopting a
29 modified version of Proposals 24C and G.

30
31 Then we get to 24G. This is a proposal which deals
32 with Unit 11, for a change of pace, and this one requests that
33 rural residents of Unit 12 and residents of Dot Lake receive a
34 positive c&t determination for Unit 11 caribou. Our
35 preliminary conclusion was to adopt Proposal 24G and this would
36 give residents of Dot Lake, and again Chuck Miller in our
37 discussion in Fairbanks with the subcommittee did make the
38 point that there are two different villages, the Native Village
39 of Dot Lake and the service village of Dot Lake. And he wanted
40 to clarify that it's the Native Village of Dot Lake which
41 traditionally uses caribou. So the proposal was for both
42 sections of Dot Lake, but that's one clarification that could
43 come out in a modification.

44
45 So to backtrack on what our preliminary conclusion was,
46 it was to adopt 24G giving the residents of Dot Lake and the
47 rural residents of Unit 12 customary and traditional use
48 eligibility in Unit 11 with the modification that such use is
49 only in the portion of Unit 11 that's north of the Sanford
50 River. So this would be only for the northern portion of Unit

0078

1 11.

2

3 The justification for that is Proposal 24G asks for a
4 c&t eligibility for caribou in Unit 11 for Dot Lake and
5 residents of Unit 12. The modification would give these
6 communities a positive c&t only in the northern portion of Unit
7 11. And that's because there's a documented pattern of harvest
8 only in that northern portion.

9

10 The residents of Dot Lake and Tanacross have strong
11 ties of kinship with other parts of the Copper River Basin,
12 including Unit 11, and the ethnographic and historical
13 literature indicate a long pattern of caribou use by the
14 residents of both those communities.

15

16 While Tok residents have documented harvest in a
17 broader area than any of the other communities, not all of the
18 population of that community exemplify the eight factors for
19 the customary and traditional use. And so the recommendation
20 here would only -- again, there's documented harvest only in
21 the northern portion of Unit 11, so it would only be for the
22 portion north of the Sanford River.

23

24 Proposal 24H requests a positive c&t determination for
25 residents of Tok for caribou in Units 11, 12 and 13. Our
26 preliminary conclusion was to reject it and the reason being
27 that that would give Tok residents c&t eligibility for caribou
28 over a very broad area. And by adopting a modified version of
29 24G they would already have a positive c&t for caribou in the
30 northern portion of Unit 11.

31

32 So then to summarize what the effects of adopting the
33 modification of those two portions of 24, you can see on this
34 first sheet that the Village of Dot Lake would be added to the
35 Unit 11 communities, it would also be added to the Unit 12
36 communities. And the Village of Northway would be added to
37 Unit 11 and to Unit 12.

38

39 And then could we see the second half of that?

40

41 The other communities that would be affected by
42 adopting the modified version are Tanacross, Tetlin and Tok in
43 Unit 11, and again, this is only for the northern portion of
44 Unit 11, north of the Sanford River or some other boundary that
45 might come forward in testimony. In Unit 12, and this would be
46 for all of Unit 12, Tanacross, Tetlin and Tok would be added to
47 it and that would summarize the additions to the existing c&t
48 that would come out of our conclusion.

49

50 At the Eastern Interior meeting yesterday the Council

0079

1 adopted the recommendations in the staff analysis, which were
2 to adopt a modified version of 24C and 24G. So they
3 essentially adopted the -- what you see there, that comes out
4 in the analysis portion in Units 11 and 12.

5

6 I know this has been very confusing, I'll be happy to
7 attempt to answer any questions.

8

9 CHAIRMAN EWAN: Are there any questions or comments
10 from the Council?

11

12 MR. JOHN: What is the modified version?

13

14 MS. MASON: I'll read again what the two modified
15 versions are that our analysis is proposing. 24C was -- if it
16 was adopted with modification, the suggested modification would
17 give a positive c&t determination for caribou in Unit 12 for
18 residents of Unit 12 plus the Villages of Dot Lake and Mentasta
19 Lake.

20

21 And then if the suggested modification of 24G were
22 adopted, that would give the residents of Dot Lake and the
23 rural residents of Unit 12 c&t eligibility in Unit 11 with the
24 modification that it's only in the northern portion of Unit 11.

25

26 So there you have all the Upper Tanana communities plus
27 Dot Lake are in the northern portion of 11 and then in 12 you
28 have, in addition to the existing c&t, which includes a lot of
29 Copper River Unit 13 communities already in Unit 12, you would
30 be adding the Unit 12 communities plus -- actually you would
31 not be adding them, they already are in there.

32

33 CHAIRMAN EWAN: Is that what you have down at the
34 bottom over here?

35

36 MS. MASON: Let me see.

37

38 CHAIRMAN EWAN: Way down at the bottom there's Proposal
39 24G, c&t for caribou in Unit 12 for Unit 12 residents, Dot
40 Lake, Healy Lake, Mentasta?

41

42 MS. MASON: That's correct, that's a footnote to where
43 it says Unit 12 and that's what would be added. In some cases
44 what -- the reason why it looks like the analysis is just
45 suggesting the same thing that already exists because what
46 already existed was for particular herds. And what we are
47 proposing instead is that it be for caribou in all of Unit 12
48 for all the residents of Unit 12 rather than just for
49 particular herds of caribou.

50

0080

1 CHAIRMAN EWAN: The only thing I can say about that is
2 it's confusing on that. I'll tell you why it's a confusing
3 table to me, because I'm not that familiar with Unit 12, that's
4 above the area that I normally hunt. So it's hard to grasp,
5 you know, Unit 12 when you talk about the communities there in
6 all that area. I know Fred is very familiar with that but,
7 Ralph, do you a question or comment?

8
9 MR. LOHSE: I have a question I'd like to ask Rachel.
10 On 24G, Rachel.

11
12 MS. MASON: Okay.

13
14 MR. LOHSE: When I look at the way they've got it
15 proposed here, the proposed regulation, basically what I see is
16 that they cross out, and to me when you cross out something
17 that means you eliminate it. They eliminated all the rural
18 residents of 11, 12 along Nebesna Road and all rural residents
19 of 12 which currently the only harvest that we have on that
20 Mentasta herd is done by the villages in Unit 13. And that
21 would cancel all villages in Unit 13 as being eligible. And
22 just switch it all over to Unit 12, Tanacross, Tok, Northway
23 and Tetlin.

24
25 Now your modification didn't address the dropping of
26 Unit 13 and 11, you know, the reasoning behind why would we
27 drop -- why would we drop all for Unit 13 when it was Unit 13
28 when it was Unit 13 that we set the special hunt up for?

29
30 MS. MASON: I saw that in the proposal book and I
31 thought that it must be a mistake. The way it was put in -- as
32 it's presented in the proposal book it crosses out all the Unit
33 13 ones, but I believe the more likely intent of the proposal
34 was to add communities to it rather than to substitute those.
35 Because I can't say that for sure I suggest that the Council
36 make it specific in the language which one you are recommending
37 because -- and my reading of it comes from looking at the
38 original proposals, which were mostly backlog proposals, and
39 noting that they appeared to be mainly having the intent of
40 expanding the opportunities for Unit 12 residents and Dot Lake,
41 but there did not seem to be an intent to revoke the
42 opportunities for the other residents that were already there.

43
44 MR. LOHSE: Yeah. It's just the way it's written --
45 the way it's written it does revoke it.

46
47 MS. MASON: Right. And I suggest that the Council
48 redress that by adopting specific language stating your
49 intention.

50

0081

1 CHAIRMAN EWAN: Any other questions, comments? Okay.
2 We'll go to next step here and have comments by letter.

3
4 MS. EAKON: Thank you, Mr. Chair. We received three
5 written comments on this proposal. The first one came from the
6 Alaska Department of Fish and Game, which again deferred final
7 comments. They do state that these proposals probably are best
8 reviewed on an area rather than by community basis.

9
10 They are concerned about the rationale presented in
11 Proposal 24C for expanding c&t eligibility for hunting caribou
12 on the Tetlin National Wildlife Refuge to new communities.
13 They feel that the proposal recommends doing this because of
14 the abundance of caribou in Unit 12 during the winter months.
15 In their judgment current population numbers are not a factor
16 in determining whether or not a c&t use pattern exists. They
17 feel that if additional caribou are available for harvest
18 adjustments can be made to the seasons and bag limits to
19 provide additional opportunity.

20
21 The Wrangell/St. Elias National Park Subsistence
22 Resource Commission supports an amended proposal which would
23 include all rural residents of Unit 11, 12, 13 and Dot Lake.

24
25 The Upper Tanana Forty-Mile Fish and Game Advisory
26 Committee in Tok supports this proposal and they recommended
27 that Upper Tanana residents be acknowledged and granted c&t use
28 in Units 11, 12, 13, 20(D), 20(E), 25(B) and (C).

29
30 And that concludes the written comments.

31
32 CHAIRMAN EWAN: Thank you. Any questions? If not,
33 we'll go down to the next step here, we'll open the floor to
34 public comments. Anybody wants to make a comment on this
35 proposal from the public? If not, we'll go on to agency
36 comments. (Pause) No agency comment?

37
38 MS. ANDREWS: (Shakes head in the negative)

39
40 CHAIRMAN EWAN: Okay. We're down to the Regional
41 Council deliberation, recommendation. Fred, did you have
42 comment or a motion?

43
44 MR. JOHN: Yeah, I got on the Mentasta Herd, isn't that
45 just the seven villages that are eligible for Mentasta Herd?
46 That was my question. I remember we passed, I think, one or
47 two caribou or 28, 27 caribou from Mentasta Herd and it went
48 over.....

49
50 CHAIRMAN EWAN: That was for '96, R-96, wasn't it?

0082

1 MS. MASON: I'll ask Bruce Greenwood to answer that.

2

3 CHAIRMAN EWAN: Good afternoon, Bruce.

4

5 MR. GREENWOOD: Good afternoon, Mr. Chair and Council.
6 For the Mentasta Herd there's, I imagine, about 18 communities
7 that have customary and traditional use. However, because of
8 the harvest quota last year only 15 caribou were allowed so we
9 did what was called an 804 allocation process that allowed the
10 elders of the seven Ahtna villages to harvest the 15 caribou
11 that were available last year. Does that answer your question?

12

13 MR. JOHN: No, is there enough of them to go into -- I
14 mean, I was wondering is it -- does this proposal open up
15 Mentasta Herd to more people?

16

17 MS. MASON: It would only declare customary and
18 traditional eligibility but it would not open a particular hunt
19 for the.....

20

21 CHAIRMAN EWAN: I guess the question that Fred -- part
22 of his question is how long is this going to effect the
23 communities that were eligible to hunt there, is that done for
24 the year now?

25

26 MR. GREENWOOD: Would you like me to respond to that,
27 Mr. Chair?

28

29 CHAIRMAN EWAN: Yes.

30

31 MR. GREENWOOD: As you see on the left hand column
32 there, Unit 11, it has existing c&t, those are the communities
33 that have existing c&t within Unit 11 so, therefore, those
34 communities are all eligible to hunt Mentasta caribou. The
35 column to the right that says -- under Unit 11, say analysis,
36 where the X marks are, those are the communities, which would
37 be the five communities in Upper Tanana, they would be allowed
38 to -- be eligible to harvest Mentasta caribou if this was
39 approved.

40

41 So if this was approved as proposed in the preliminary
42 conclusion the communities of Northway, Dot Lake, Tetlin, Tok
43 and where's the other one, excuse me, and Tanacross would be
44 eligible to harvest caribou, Mentasta caribou.

45

46 CHAIRMAN EWAN: I did have a question about this season
47 that we allowed for these communities. Is that still in
48 effect? My question was till when? I think Fred -- that was
49 part of Fred's question.

50

0083

1 MR. GREENWOOD: The question was?

2

3 CHAIRMAN EWAN: When it'll be up for the new season and
4 bag limits?

5

6 MR. GREENWOOD: The question I understand you're asking
7 is that if this proposal was passed when would these other
8 communities be allowed to hunt within this area? Is that
9 the.....

10

11 CHAIRMAN EWAN: Oh, no, not the area, we're talking
12 about Mentasta Herd he asked. How long is that going to be in
13 effect?

14

15 MR. GREENWOOD: The caribou?

16

17 CHAIRMAN EWAN: Yeah, for a certain numbers.

18

19 MR. GREENWOOD: That will continue through this year.
20 And it will continue until the population levels -- if the
21 population levels remain the same or improve it will remain
22 that way for a while. But each year the park does studies in
23 the fall and based on those studies they make a determination
24 whether or not the caribou herd will be open next year or not.
25 And if it is opened the number of caribou that will be
26 harvested from that herd.

27

28 CHAIRMAN EWAN: Okay. Thank you. Ralph.

29

30 MR. LOHSE: Basically, don't we have kind of a -- I
31 don't like to use the word joint management plan, but we've got
32 an agreed upon plan for management of the Mentasta Herd, which
33 at this time allowed the 15 caribou to be taken this year which
34 were then designated for the seven Ahtna villages. And until
35 the management plan come up with sufficient caribou to be
36 accessed, the fact that somebody has c&t does not put them into
37 the harvest of those caribou?

38

39 MR. GREENWOOD: Yes, that would be correct. I think
40 there might be a possible question once -- the way it stands
41 right now, since there are no other communities that are
42 eligible to harvest the Mentasta caribou would remain the same
43 with the seven Ahtna village and the elders of the seven Ahtna
44 villages. I think it might be a regulatory question if more
45 communities were added to that. To the communities eligible to
46 harvest caribou if we would have to revisit that. I personally
47 could not respond to that, maybe someone else here from Fish
48 and Wildlife Service could respond to that question.

49

50 CHAIRMAN EWAN: Is there anybody else who would like to

0084

1 comment on this? (Pause) Okay. Does that answer your
2 question, Ralph?

3

4 MR. LOHSE: Yeah.

5

6 CHAIRMAN EWAN: Any other comments or questions?
7 Taylor, were you going to make a comment?

8

9 MR. BRELSFORD: I think I wanted to just make a point
10 of clarification. In the current regulations booklet in Unit
11 11 under caribou, found at Page 61, the current c&t for the
12 Mentasta Herd is fairly large, fairly wide ranging. It
13 includes rural residents of Unit 11, 12, 13(A), (B), (C), (D)
14 and residents of Chickaloon.

15

16 Since there's not enough caribou in the Mentasta Herd
17 we have to have a limited hunt or what Bruce called a Section
18 804 hunt. That's like a tighter priority when there's a very
19 small resource available for subsistence users. Those seven
20 villages were the Section 804. The 804 eligible communities.

21

22 The effect of your action today would be to change the
23 c&t on the left hand column, it already talks about -- I'm
24 pointing at this and looking at that one, sorry. Rural
25 residents of 11, 12, 13 and residents of Chickaloon. You would
26 be adding some villages if you adopt this course of action to
27 the wide c&t, the existing c&t. It would require a specific
28 motion, specific action by the Federal Board to change the
29 eligible communities for the Section 804 hunt, for the tight
30 priority. That's currently the seven village, it would not
31 change automatically unless the Council forwards the proposal
32 and the Board takes a new action to revise the Section 804
33 priority for the Mentasta Herd.

34

35 So as Bruce has said, as long as -- while the herd is
36 small, a very limited number of permits are available, 15 at
37 the present time. And those are distributed to the highest
38 priority communities, the seven Ahtna villages at this point.
39 Only if somebody comes along and proposes a reevaluation of
40 that Section 804 finding would we go back and revisit that.

41

42 MR. GREENWOOD: Taylor originally mentioned the
43 Regional Council would submit a proposal, any of the -- if the
44 Upper Tanana communities had c&t for Unit 11 anyone or anyone
45 of those communities or any individual in there could submit a
46 proposal to the Board to open the hunt to them. However, as
47 you well know that proposal would have to come through this
48 Regional Council for a recommendation to the Board.

49

50 CHAIRMAN EWAN: Any comments? Any questions? I know --

0085

1 thank you for your comment there, Taylor. You said you're
2 going to add area more broad and all that, but aren't they kind
3 of specific as far communities goes to those communities that
4 listed down at the bottom there? I'm going to ask that again.
5 Of Dot Lake, Healy Lake and Mentasta or are there other
6 communities that are now listed that Taylor was talking about?
7

8 MS. MASON: You were talking about the ones that are
9 involved in the 804.
10

11 MR. BRELSFORD: Well, the broad c&t determination is
12 the existing c&t determination for caribou (indiscernible -
13 away from microphone).....
14

15 MS. MASON: Yeah. I don't think there are -- as far as
16 this small print here I don't think there are other communities
17 that are not listed there. Is that.....
18

19 CHAIRMAN EWAN: We're adding these though?
20

21 MS. MASON: Yes.
22

23 CHAIRMAN EWAN: That's my question. As far as
24 community goes. You comment -- you mentioned a broader -- when
25 you mentioned a broader area, but I understand it now. Go
26 ahead, Bruce, did you have a comment?
27

28 MR. GREENWOOD: Yes, I think Taylor mentioned broader
29 communities, what Taylor really meant were the communities
30 listed in Unit 11 that have c&t in Unit 11, in the existing
31 column there, the darken column.
32

33 CHAIRMAN EWAN: Okay.
34

35 MR. GREENWOOD: We were saying the same thing just in
36 different ways.
37

38 CHAIRMAN EWAN: Okay. Where are we at?
39

40 MR. JOHN: I don't have a question, but just to explain
41 it better, the seven village that held the Section 804 hunt on
42 the Mentasta Herd, they going to continue to hunt, the seven
43 village until it's changed by Board -- the Federal Board?
44

45 MR. GREENWOOD: Yes, the seven village would continue
46 to have the hunt there unless it was changed by the Board.
47

48 MR. JOHN: And then it would have to go through us if
49 somebody want to change it?
50

0086

1 MR. GREENWOOD: Yes, it would have to go through you.

2

3 MR. JOHN: So the seven villages are okay.

4

5 MR. GREENWOOD: Yes. There are two actions that would
6 have to take place is first, the other communities would have
7 to be given c&t, that's the first thing. The second thing that
8 would have take place is somebody would have to submit a
9 proposal to the Board by those communities to change the season
10 which would allow them to harvest caribou within there -- I
11 said change of season, I would say change who would be eligible
12 to harvest the caribou.

13

14 MR. JOHN: Okay. Thank you, I understand.

15

16 CHAIRMAN EWAN: Rachel.

17

18 MS. MASON: I don't know if it's necessary to clarify
19 that -- well, now we're just going to do c&ts by all of a unit
20 or an area, regardless of herds, there are still going to be
21 particular hunts that are managed by herd. Their might be some
22 regulations that affect only a particular herd but the c&t
23 would apply regardless of herd throughout a unit for a
24 particular community.

25

26 CHAIRMAN EWAN: I guess we're done with all the agency
27 comment then. We're down to the Regional Council deliberation,
28 recommendation unless somebody else has something else? Does
29 everybody understand what we're -- the proposal is, the
30 recommendation? Do I hear a motion then to adopt the -- what
31 you want to do then is do a modified version of 24C and so on?

32

33 MR. LOHSE: We'll have to amend it.

34

35 MS. MASON: You want me to read what the modified
36 versions would be for C and G?

37

38 CHAIRMAN EWAN: Well, I think Ralph understands to make
39 the motion here.

40

41 MR. LOHSE: We need to put a motion on the floor to
42 adopt 24C and then we can amend it to be the modified version,
43 so I move that we adopt 24C.

44

45 CHAIRMAN EWAN: Is there a second to that?

46

47 MS. MASON: Let me find 24C to see what that.....

48

49 MR. LOHSE: That's the one you were saying, wasn't it,
50 24C?

0087

1 MS. MASON: Yeah.

2

3 MR. OSKOLKOFF: Second.

4

5 CHAIRMAN EWAN: Yeah, I was just going to say that
6 what's confusing about it, there's also A and B and.....

7

8 (Indiscernible - simultaneous speech)

9

10 CHAIRMAN EWAN:that's why I was supporting, make
11 sure that we understand this is a modified version we're
12 talking about.

13

14 MR. LOHSE: 24(C) deals with Unit 12 caribou, okay?

15

16 MS. MASON: Mr. Chairman, 24(C) requests that residents
17 of Unit 12, 20(E) and the Villages of Mentasta Lake and the
18 Native Village of Dot Lake be allowed to hunt the Mentasta
19 Caribou Herd in Unit 12 for the Tetlin National Wildlife Refuge
20 winter hunt only. And that residents of Units 12, 20(E) and
21 the Villages of Dot Lake and Mentasta Lake be allowed to hunt
22 the Nelchina Caribou Herd in Unit 12.

23

24 The suggested modification to that that we came to from
25 the staff analysis would be to give a positive c&t
26 determination for caribou in Unit 12 to residents of Unit 12
27 and the Villages of Dot Lake and Mentasta Lake. So that would
28 eliminate the references to particular herds and the Tetlin
29 National Wildlife winter hunt and it would also omit the
30 references to the communities in Unit 20(E).

31

32 CHAIRMAN EWAN: Do I hear an amendment to the motion?
33 I would like, I think, to have somebody make a motion to amend
34 -- to modify the proposal 24C.

35

36 MR. JOHN: Yeah, to modify.

37

38 CHAIRMAN EWAN: To modify as stated by staff?

39

40 MR. JOHN: Yeah.

41

42 CHAIRMAN EWAN: Is there a second?

43

44 MR. DEMENTI: Second.

45

46 CHAIRMAN EWAN: There's a motion, second. Any further
47 discussion on the amendment? Ralph.

48

49 MR. LOHSE: Can I have a clarification just for the
50 record then. What this does is takes both caribou herds in

0088

1 Unit 12, gives the residents of Unit 12 c&t and the Villages of
2 Dot Lake and Mentasta Lake c&t.

3

4 MS. MASON: That's correct.

5

6 CHAIRMAN EWAN: Any further discussion on the motion --
7 on the amendment? Are you ready to vote?

8

9 MR. LOHSE: Question.

10

11 CHAIRMAN EWAN: Question is called for, all in favor of
12 amending Proposal 24C say aye.

13

14 IN UNISON: Aye.

15

16 CHAIRMAN EWAN: Opposed by the same sign.

17

18 (No opposing votes)

19

20 CHAIRMAN EWAN: Motion is carried. On the main motion
21 then. Any further discussion?

22

23 MR. OSKOLKOFF: Question.

24

25 CHAIRMAN EWAN: Question is called for on the main
26 motion. All in favor say aye.

27

28 IN UNISON: Aye.

29

30 CHAIRMAN EWAN: Opposed by the same sign.

31

32 (No opposing votes)

33

34 CHAIRMAN EWAN: Motion is carried. That takes care of
35 the other proposals, right?

36

37 MS. MASON: It doesn't for G, 24G.

38

39 CHAIRMAN EWAN: Yeah, all except G, all right.

40

41 MS. MASON: And Proposal 24G was a request that rural
42 residents of Unit 12 and residents of Dot Lake receive a
43 positive customary and traditional use determination for Unit
44 11 caribou. And the proposed modification would give the
45 residents of Dot Lake and the rural residents of Unit 12
46 customary and traditional use eligibility in Unit 11 with such
47 use only in the northern portion of Unit 11, that would be
48 north of the Sanford River. So the proposed modification would
49 be for only a portion of Unit 11.

50

0089

1 CHAIRMAN EWAN: It's just as written up here? What
2 we're doing is adding to Proposal 24G c&t for caribou in Unit
3 11, north of the Sanford River for Unit 12 residents and Dot
4 Lake?

5
6 MS. MASON: That's correct. And those are the
7 residents that were in the proposal is the five Upper Tanana
8 communities plus Dot Lake. So the only change is that it's
9 only in the northern portion of Unit 11.

10
11 CHAIRMAN EWAN: Yes, Ralph.

12
13 MR. LOHSE: I'll move that we accept Proposal 24G.

14
15 CHAIRMAN EWAN: This is as modified, right?

16
17 MR. LOHSE: No, we have to put it on the table first,
18 then modify it.

19
20 CHAIRMAN EWAN: Okay.

21
22 MR. OSKOLKOFF: Second.

23
24 CHAIRMAN EWAN: There's a motion, second to adopt
25 Proposal Number 24G. Ralph.

26
27 MR. LOHSE: I'll move that we accept the modifications
28 as proposed by staff in addition to the current regulations.
29 In other words, so we don't eliminate 13 and 11.

30
31 CHAIRMAN EWAN: Okay. There's a motion to amend, is
32 there a second?

33
34 MR. ROMIG: Second.

35
36 CHAIRMAN EWAN: There's a motion, second. Any further
37 discussion on the amendment? I think we all pretty much
38 understand that proposed modification that's up there. You'll
39 want to look at the bottom line there what we are doing. Any
40 comments or further discussion on the motion? Are you ready to
41 vote on the amendment?

42
43 UNIDENTIFIED: Question.

44
45 CHAIRMAN EWAN: Question is called for. All in favor
46 of the amendment to 24G say aye.

47
48 IN UNISON: Aye.

49
50 CHAIRMAN EWAN: Opposed by the same sign.

0090

1 (No opposing votes)

2

3 CHAIRMAN EWAN: Motion is carried. On the main motion
4 then to adopt 24G as modified or amended.

5

6 MR. OSKOLKOFF: Call for the question.

7

8 CHAIRMAN EWAN: Question is called. All in favor say
9 aye.

10

11 IN UNISON: Aye.

12

13 CHAIRMAN EWAN: Opposed by the same sign.

14

15 (No opposing votes)

16

17 CHAIRMAN EWAN: Motion is carried. Okay. We're down
18 to Proposal Number 25.

19

20 MR. LOHSE: Do we need to look at 24H?

21

22 CHAIRMAN EWAN: Are we done with 24 then?

23

24 MS. MASON: We're done with 24, we're down to 25 now.

25

26 MR. LOHSE: Do we deal with the Unit 13 caribou in 24H
27 or not?

28

29 MS. MASON: The only part where Unit 13 is involved was
30 the Proposal 24A that was sweeping change in all three units
31 and that we decided it was too broad to consider.

32

33 MR. LOHSE: It's also in 24H though.

34

35 MS. MASON: Oh, 24H.

36

37 CHAIRMAN EWAN: So I guess we have to deal with that.
38 Your recommendation on this one is to reject?

39

40 MS. MASON: My recommendation was to reject 24H and
41 that was -- again, I think, because of the enormity of Units
42 11, 12 and 13, considering that as whole, that was -- we didn't
43 even look at Tok's use of those three units.

44

45 MR. LOHSE: Okay. So we need to have a motion to
46 accept 24H so we can reject it.

47

48 CHAIRMAN EWAN: You make that motion?

49

50 MR. LOHSE: I'll make that motion.

0091

1 CHAIRMAN EWAN: Is there a second?

2

3 (Inaudible second)

4

5 CHAIRMAN EWAN: There's a motion, second, any further
6 discussion on Proposal 24H?

7

8 MR. JOHN: Question.

9

10 CHAIRMAN EWAN: Question is called for, all those in
11 favor say aye.

12

13 (No positive votes)

14

15 CHAIRMAN EWAN: Opposed by the same sign.

16

17 IN UNISON: Aye.

18

19 CHAIRMAN EWAN: The proposal is rejected. Now we're
20 ready to go to Proposal 25.

21

22 MS. MASON: Could we have the summary there? Okay.
23 This is a proposal for sheep and as soon as I get myself
24 organized. This again is a combination of backlogged proposals
25 and new proposals. And collectively all the different
26 proposals that were submitted make various request for positive
27 customary and traditional determination for sheep in Units 11
28 and 12 by residents of various communities.

29

30 The proposals that have been submitted by residents of
31 Unit 12 are intended to allow access to the residents of Unit
32 11, 12 and 13. To all the residents of Unit 12 for sheep,
33 based on the claim that sheep have been taken in all those
34 units by residents of Unit 12 communities.

35

36 Then there's a separate proposal in which the Ahtna
37 villages of Chistochina and Mentasta are seeking recognition of
38 their customary and traditional uses of sheep in Unit 12.

39

40 Under the current regulations, as you can see from
41 this. Are there two different sheets for this one?

42

43 MS. HEARNE: Yes.

44

45 MS. MASON: Okay. You can see that in Unit 11 there
46 are a number of villages and communities that have c&t there,
47 including the following, Chisana, Chistochina, Chitina, Copper
48 Center, Gakona, Glennallen, Gulkana, Kenny Lake, Mentasta Lake,
49 Slana, McCarthy/South Wrangle/South Park, Tazlina and Tonsina.
50 residents along the Tok Cutoff from milepost 79 to 110,

0092

1 residents along the Nabesna Road from milepost 0 to 46,
2 residents along McCarthy Road.

3
4 But there is no Federal subsistence priority for the
5 communities of Cantwell, Lake Louise, Paxson, North Slana
6 Homestead, South Slana Homestead, Sourdough, Tanacross, Tok,
7 residents along the Lake Louise Road, milepost 0 to 14,
8 residents on the Glenn Highway, milepost 79 to 180. So that's
9 summarized there if you're wondering about any particular
10 community.

11
12 And in Unit 12 there is no Federal subsistence priority
13 in the Tok Management Area and no c&t eligibility in the
14 remainder of Unit 12. So in the latter portion of Unit 12 all
15 rural residents are eligible to harvest so there's no
16 determination there.

17
18 Again this proposal is divided into several
19 sub-proposals and goes up to 25H. The major issue in looking
20 at history and contemporary uses of sheep is how to deal with
21 the disruption of traditional harvests that began about 50
22 years when the resource started to be managed for sport
23 purposes. And it appears that planes are becoming a frequently
24 used mode of transportation to access sheep hunting. And this
25 is certainly problematic for accessing the eight factors in
26 customary and traditional analyses.

27
28 So that what becomes more of an issue in looking at the
29 uses of sheep in Unit 11 and 12 is that it's not whether or not
30 people have used it for sheep but whether or not these are
31 traditional customary uses.

32
33 Proposal 25A requests a positive c&t specifically for
34 Tok and this is for sheep hunting in Unit 11. The Tok
35 Management Area of Unit 12 and the Tok and Delta Management
36 Areas of Unit 13.

37
38 Our preliminary conclusion was to reject and this is on
39 the basis that Tok has harvested use patterns for sheep that
40 are distinctive from the villages in several ways and just in
41 regard to the population characteristics of Tok, we examined in
42 reference to an earlier proposal. A substantial component of
43 the community of Tok has a low participation in subsistence
44 activities, although there is a component that is high
45 subsistence harvesters. Tok hunters, as a whole, make
46 substantial use of airplanes and off road vehicles and they make
47 considerable use of resources that exist at a long distance
48 from the community. And these hunts are not based on
49 traditional origins, the population of Tok, nor are they based
50 on relations outside of the community.

0093

1 The amount of sharing and distribution in this
2 community is lower than the villages. Again, with the
3 exception of Tok's high harvesting sector. The passage of
4 knowledge, skills and lore from one generation to another is
5 less in Tok than the other Upper Tanana communities.
6

7 And so although subsistence harvest make a large
8 contribution overall to the Tok households it's a smaller one
9 in terms of the overall economy that occurs in the villages.
10 So strictly in regard to this proposal which was only for Tok,
11 our preliminary conclusion was to reject.
12

13 Proposal 25B requested a positive c&t determination for
14 Dot Lake and all the residents of Unit 12 for sheep hunting in
15 Unit 11. And our preliminary conclusion here was to adopt it
16 with a the modification that this was only for the community of
17 Northway. And only for the portion of Unit 11 north of the
18 Sanford River.
19

20 CHAIRMAN EWAN: Can you name communities to adopt this
21 -- can you name some communities?
22

23 MS. MASON: I just named one community and that's
24 Northway, that that was the community that has the strongest
25 evidence of use in Unit 11 that is traditional.
26

27 CHAIRMAN EWAN: So you'd be eliminating Dot Lake and
28 Tanacross, is that what you're saying?
29

30 MS. MASON: That is correct. Especially from Dot Lake
31 there are family origins and ties to the Copper River
32 communities and especially in Dot Lake there are elders who
33 came from Upper Ahtna groups, but there is no present evidence
34 of the continuation of sheep harvesting in the ancestral areas.
35 The strongest evidence among the Upper Tanana communities comes
36 from Northway and their use continues into the present period
37 and it's based on long term, multi-generational ties to
38 families in the Upper Ahtna areas that now reside primarily in
39 Chistochina. So that's our preliminary recommendation for that
40 one.
41

42 On Proposal 25C the request was for customary and
43 traditional determination for the villages of Mentasta and
44 Chistochina for sheep hunting in Unit 12. Our recommendation
45 was to adopt because the Copper River villages of Mentasta and
46 Chistochina both have ties to Unit 12, the Upper Nebesna area
47 and there is both historical use and up to the 1950s documented
48 in historical literature.
49

50 Chistochina has very strong multi-generational and

0094

1 multi family ties to the Upper Shistana (ph) area as well and
2 so these people have a lot of connections in Northway through
3 their relations in Northway as well as Mentasta.

4
5 Proposal 25D was positive c&t determination for
6 residents of Unit 11, 12 and 20(D), east of the Johnson River,
7 which would include the village of Dot Lake for sheep hunting
8 in Unit 12. And our preliminary conclusion was to reject with
9 the justification that there is evidence of traditional use of
10 sheep by the ancestors of the people that are now located in
11 Dot Lake and Northway, Tetlin and Tanacross. And some of their
12 descendants also live in Tok, but the evidence for continuing
13 use is strongest for Northway and that use is honored by the
14 adoption of the modified version of Proposal 25B that would
15 allow Northway to continue. So Proposal 25D would be to reject
16 because that claim had been considered in another proposal.

17
18 The other portions of Proposal 25E are all different
19 versions of the requests that have already been considered in
20 the other portions of 25, so our conclusion on each one of them
21 was to reject. And so the only one in which the preliminary
22 conclusion is to adopt is Proposal 25C and Proposal 25B that
23 would be adopted with modification.

24
25 So the summary of staff recommendations can be found on
26 this chart again. Unfortunately this is a two part chart so
27 you'll have to first appreciate what's on this one and then
28 maybe we can look at the other one, but the existing c&t is
29 again on the darkened portion. And then again from the staff
30 analysis we have the recommendation there.

31
32 In Unit 11 the only community that the staff analysis
33 recommends adding to the Unit 11 existing communities, it would
34 be Northway and the recommendation would be for only in the
35 northern portion of Unit 11, north of the Sanford River.

36
37 And then the other addition that would come about from
38 adopting the staff modification would be in Unit 12 adding the
39 communities of Mentasta, Chistochina in Unit 12, that comes up
40 in the other one, sorry. There you can see in the Unit 12
41 portion, that was the only two communities that come out of
42 this staff recommendation.

43
44 I'll leave you with that for now and let people ask
45 questions.

46
47 CHAIRMAN EWAN: All right. Any questions of Rachel
48 before we go on to the next step here? Ralph.

49
50 MR. LOHSE: I've got to run through a few here with

0095

1 you, Rachel. The way I read it when I look at 25A the only
2 change between the existing regulation and the proposed
3 regulation was to take the Tok management area and Tok and
4 Delta Management Area and put a subsistence priority in there
5 for Tok, just in those limited management areas, everything
6 else stayed the same. It wasn't going into Unit 12 or 13 or
7 11, all of those stayed the same except for that management
8 area which currently has no subsistence priority. Am I right
9 on that on 25A? Because everything reads the same except where
10 there's currently no Federal subsistence priority in the Tok
11 Management Area in Unit 12 and the Tok and Delta Management
12 Area in Unit 13. Tok is added to those two, but everything
13 else stayed the same on that one, am I.....

14

15 MS. MASON: Right, that's right.

16

17 MR. LOHSE: So there was no change in that except in
18 that management area which currently has no subsistence
19 priority.

20

21 MS. MASON: There would be no change for other
22 communities than Tok.

23

24 MR. LOHSE: Right. And only in that limited area right
25 now.

26

27 MS. MASON: That is correct.

28

29 MR. LOHSE: Okay.

30

31 MS. MASON: And I'm glad you brought that up because I
32 did omit one proposal that is on here which is to combine the
33 Tok Management Area with the rest of Unit 12. And here the
34 preliminary conclusion was to adopt it. And this was intended
35 as a housekeeping proposal to bring the Federal regulations in
36 line with State regulations because the State has eliminated
37 the Tok Management Area now.

38

39 MR. LOHSE: And then On 25B, if I understood you right,
40 the proposed regulation proposes to add the residents of Dot
41 Lake and the residents of Unit 12. And your recommendation is
42 to propose the residents of Dot Lake and Northway only, right?
43 On 25B?

44

45 MS. MASON: Our recommendation is only Northway not Dot
46 Lake.

47

48 MR. LOHSE: Not even Dot Lake?

49

50 MS. MASON: Not even Dot Lake.

0096

1 MR. LOHSE: Okay. 25C, the note that I've got on there
2 shows me that the way that it's currently written under the
3 proposed regulation the only residents that have access to it
4 are Chistochina and Mentasta, but I take it, it means to add
5 those to.....
6

7 MS. MASON: This is another one where by, as it reads
8 in the proposal book it looks like it's substituting those two
9 communities for anybody else, but that -- I believe the intent
10 of the proposers was to add those rather than to revoke anybody
11 else's.
12

13 MR. LOHSE: Well, what I'm wondering about though is if
14 all rural residents is the way it currently reads, Chistochina
15 and Mentasta would have access to them the way it reads, so
16 maybe the proposal is to eliminate all rural residents except
17 for Chistochina and Mentasta.
18

19 MS. MASON: As I was speaking I was realizing that if
20 it's a no determination to start with then this is the only way
21 to do it.
22

23 MR. LOHSE: Yeah. So basically this Proposals 25C is
24 to limit Unit 12 to Chistochina and Mentasta as proposed?
25

26 MS. MASON: Chistochina and Mentasta would be the only
27 communities having a positive c&t.
28

29 MR. LOHSE: Having the only c&t in Unit 12.
30

31 MS. MASON: That's correct.
32

33 MR. LOHSE: Okay. Then I got kind of lost after that.
34

35 CHAIRMAN EWAN: Welcome to the party. Rachel, you
36 mentioned that last thing about Tok. That's not a written
37 proposal that you mentioned, is it? Or is it? Is it one of
38 these proposals here?
39

40 MS. MASON: The Proposal 25A deals with -- was -- deals
41 only with Tok.
42

43 CHAIRMAN EWAN: And that is the one you're recommending
44 we adopt?
45

46 MS. MASON: No.
47

48 CHAIRMAN EWAN: You mentioned the last thing about Tok
49 that we adopt.....
50

0097

1 MS. MASON: I'm sorry, that's Proposal 25H and that
2 is.....

3
4 CHAIRMAN EWAN: Okay. I just want to clarify that,
5 that's what I thought it was.

6
7 MS. MASON: Yeah, that one would be to eliminate the
8 Tok Management Area. And that would not give any particular
9 subsistence eligibility to Tok residents but it's just a
10 housekeeping proposal.

11
12 CHAIRMAN EWAN: Okay. I got it. Ready to go to next
13 step if there are no more questions of Rachel? (Pause) Okay.
14 We'll go down to the comments by letter.

15
16 MS. EAKON: Thank you, Mr. Chair. We received three
17 comments on Proposal 25. The Alaska Department of Fish and
18 Game once again deferred final comments.

19
20 Wrangell/St. Elias National Park Subsistence Resource
21 Commission supports an amended proposal which would include all
22 rural residents of Units 11, 12, 13 and Dot Lake.

23
24 The Upper Tanana Forty-Mile Fish and Game Advisory
25 Committee in Tok supports this proposal. They recommend that
26 Upper Tanana residents be acknowledged and granted c&t use in
27 Units 11, 12, 13 20(E) and 25(C).

28
29 And that concludes the comments.

30
31 CHAIRMAN EWAN: Thank you. Any questions? If not,
32 we'll go down to the floor, it's open for comments from the
33 floor. Okay. No comments from the floor, we'll go on to
34 agency comments.

35
36 MS. ANDREWS: Thank you, Mr. Chair, Elizabeth Andrews,
37 Department of Fish and Game. I don't believe we've eliminated
38 the Tok Management Area, so I just wanted to clear that up on
39 the record. The State of Alaska still has a Tok Management
40 Area and you just heard a comment from staff that we had
41 eliminated that Tok Management Area for sheep hunting and
42 that's not the case.

43
44 CHAIRMAN EWAN: Okay. For our own deliberation and
45 recommendation. You heard the staff recommendations on
46 Proposal -- the various proposal on 25. You want to put it on
47 the floor by making a motion to adopt 25? Or should we mention
48 a specific one that we want to adopt?

49
50 MS. MASON: Do you want to see what the certain

0098

1 proposals are and what the.....

2

3 CHAIRMAN EWAN: Do we want to adopt to get it on the
4 floor what I'm -- just 25, just say 25?

5

6 MS. MASON: 25B is the one that requested a positive
7 c&t for Dot Lake and all residents of Unit 12 and that was one
8 that our preliminary conclusion was to suggest only Northway.
9 And then 25C is the one that was for a positive c&t for
10 Mentasta and Chistochina and that was the one that we
11 recommended adopting.

12

13 CHAIRMAN EWAN: 25C?

14

15 MS. MASON: Yeah. And at this point I don't know what
16 we recommend for 25H now that we've found out the State doesn't
17 (indiscernible - simultaneous speech).....

18

19 CHAIRMAN EWAN: Then we should just go starting at the
20 beginning then on the proposals?

21

22 MS. MASON: Right.

23

24 CHAIRMAN EWAN: Adopting or rejecting? Yeah. Okay.
25 I'll entertain a motion from the Council here now then.

26

27 MR. LOHSE: I make a motion that we adopt Proposal 25A.

28

29 MR. OSKOLKOFF: Second.

30

31 CHAIRMAN EWAN: Did you seconded it, Gary?

32

33 MR. OSKOLKOFF: Yes.

34

35 CHAIRMAN EWAN: There's a motion and second to adopt
36 25A. Any further discussion?

37

38 MR. JOHN: Where we going?

39

40 CHAIRMAN EWAN: We're going from the beginning. Since
41 we didn't have any general.

42

43 MS. EAKON: Mr. Chairman, we have an agency request to
44 be real specific on these proponents of the proposal. When you
45 reject a proposal, for example, 25A, make it real clear -- what
46 you did in the last proposal was adopt a couple of them. Be
47 real clear and say, well, in so doing we're rejecting the
48 others. Make it plane, please.

49

50 MS. MASON: Mr. Chairman.

0099

1 CHAIRMAN EWAN: Yes, you want to comment on -- we have
2 a motion here now, is that what you want to comment on? Okay.
3 Any further comment on the motion to adopt 25A? You heard
4 Helga's comment about when you take action on this you have --
5 we should have some comment for the record, is that what you're
6 saying, Helga?

7
8 MS. EAKON: If you're going to reject a proposal, say
9 so for the record.

10
11 MR. LOHSE: Just say that we reject it?

12
13 MS. EAKON: Yes.

14
15 MR. LOHSE: Which we didn't do on the last one. We had
16 accepted a couple of proposals, we didn't say that in so doing
17 rejected the others.

18
19 MS. EAKON: Yes.

20
21 MR. LOHSE: Which was our understanding though.

22
23 MS. EAKON: Okay. I will make a point of it.

24
25 CHAIRMAN EWAN: There's no objection to adding that to
26 the previous proposals that we considered?

27
28 MR. LOHSE: That was our understanding.

29
30 CHAIRMAN EWAN: Those that we did not consider or vote
31 we rejected and substituted the modified versions for including
32 or not including. Okay.

33
34 MR. JOHN: That was my understanding.

35
36 MR. LOHSE: That's what I understood.

37
38 CHAIRMAN EWAN: Okay. We're still on 25A, there's a
39 motion to adopt 25A, there's a second also. Further discussion
40 on the motion? Are you ready to vote on the.....

41
42 MR. LOHSE: Let's clarify again what 25A does. 25A
43 replaces the no Federal subsistence priority in the Tok
44 Management Area and the Tok and Delta Management Area with a
45 subsistence priority for Tok. Only in those two areas.
46 That's the only change in the whole thing that I can see. Am I
47 right?

48
49 MS. MASON: Yeah.

50

00100

1 MR. LOHSE: Okay. Because I didn't see any of the
2 other changes I thought I heard.

3
4 CHAIRMAN EWAN: Okay. Any further comments on the
5 motion?

6
7 MR. DEMENTI: Question.

8
9 CHAIRMAN EWAN: Question is called for, all in favor of
10 adopting 25A say aye.

11
12 MR. LOHSE: Aye.

13
14 CHAIRMAN EWAN: Opposed by the same sign.

15
16 MR. JOHN: Aye.

17
18 MR. ROMIG: Aye.

19
20 CHAIRMAN EWAN: Let's just have a show of hands, okay?
21 All in favor of the motion adopting 25A raise your right hand.

22
23 MR. LOHSE: (Raised hand)

24
25 CHAIRMAN EWAN: All opposed.

26
27 REST OF COUNCIL: (Raised hands)

28
29 CHAIRMAN EWAN: Okay. The opposition has it, the
30 motion does not pass. 25A is rejected. We go on down the line
31 now to 25B. I believe the recommendation was to.....

32
33 MS. MASON: Our recommendation was only for the
34 community of Northway in Unit 11 and only for that portion of
35 Unit 11 north of the Sanford River. The proposal would have
36 given positive c&t to Dot Lake and all the residents of Unit 12
37 in Unit 11.

38
39 CHAIRMAN EWAN: Okay. To get it on the table I'll
40 entertain a motion to adopt 25B.

41
42 MR. LOHSE: I move we adopt 25B.

43
44 CHAIRMAN EWAN: There's a motion, is there a second?

45
46 MR. ROMIG: Second.

47
48 CHAIRMAN EWAN: There's a motion and a second to adopt
49 25B. Any further discussion on it.

50

00101

1 MR. JOHN: Second. Is there a second?

2

3 CHAIRMAN EWAN: Yes, Ben.

4

5 MR. OSKOLKOFF: Were on discussion?

6

7 CHAIRMAN EWAN: Yes, we're on discussion right now.

8 There was a recommendation to modify to adopt with just

9 Northway, is that correct?

10

11 MS. MASON: Um-hum.

12

13 MR. JOHN: (Indiscernible)

14

15 CHAIRMAN EWAN: And then the recommendation -- I don't
16 know how to state this, I better.....

17

18 MS. MASON: To modify.

19

20 CHAIRMAN EWAN: To modify, I guess, to modify to just
21 state Northway.

22

23 MS. MASON: And also for only a portion of Unit 11, is
24 that what you intended?

25

26 CHAIRMAN EWAN: Is that clear enough.

27

28 MR. ROMIG: I thought we were just recommending to
29 adopt their recommendation.

30

31 CHAIRMAN EWAN: Yes, we're doing staff recommendation,
32 I'm trying to get from you what exactly it was.

33

34 MS. MASON: Yeah. Only for Northway and only for that
35 portion of Unit 11 north of the Sanford River.

36

37 CHAIRMAN EWAN: Okay. Is that understood then? Any
38 further discussion on the amendment?

39

40 MR. LOHSE: Yeah. I can't support the amendment
41 because, you know, I know for a fact that a lot of people from
42 these -- now maybe it's only been for the last, you know, 60,
43 70, 80 years or so, but a lot of people from these other
44 places, Tanacross, Tetlin, Tok have also come down, especially
45 since the Nebesna Road was there, and hunted sheep in Unit 11.
46 And we've heard before that in the old days they traveled down
47 into that area because that was one of the closest areas they
48 could get sheep. So I think it's -- I think they probably have
49 had a past and continuing c&t use of sheep in Unit 11,
50 especially in the northern portion. And so to limit it to just

00102

1 Northway I can't support that amendment.

2

3 CHAIRMAN EWAN: Any other comments? Rachel, do you
4 want to restate your reasoning here or your rationale?

5

6 MS. MASON: Where we at? B, claims for traditional use
7 of sheep in Unit 11 are based primarily on family origins and
8 ties that various Upper Tanana families have but the claims are
9 strongest for Northway. There's evidence that there's use --
10 there's traditional and also continues into the present day.
11 And there that was the only community that we found that there
12 was a strong, both a traditional harvest and a strong record in
13 the contemporary period.

14

15 MR. OSKOLKOFF: Mr. Chairman, can I ask Rachel,
16 traditional harvest in contemporary period, what is the
17 defining.....

18

19 MS. MASON: I guess a historical harvest would be more
20 as evidence comes through the ethnographic literature.

21

22 MR. OSKOLKOFF: And I ask that because I remember our
23 discussion when we went into c&t determinations (indiscernible)
24 more or less roughly two generations. So it's something to be
25 passed down and I'm wondering if Ralph's argument is a little
26 more on point and the fact that has occurred to some degree and
27 I'm just wondering if we're kind of splitting hairs at this
28 point. You know, just making a stronger point on Northway's
29 and not so much perhaps on the other ones.

30

31 MS. MASON: Yeah, it is a difference of quality -- a
32 qualitative difference. A traditional harvest would be one
33 that is in keeping with the eight factors that there is
34 transmission from generation to generation, that's there's a
35 pattern of sharing and so forth. And the evidence was
36 strongest for the community of Northway, but that is not to say
37 that no such harvest did exist for any of the other
38 communities.

39

40 MR. LOHSE: Mr. Chairman,

41

42 CHAIRMAN EWAN: Yes.

43

44 MR. LOHSE: I would think from some the things that
45 Fred has said though that the same things would apply to sheep
46 as applied to caribou, that the people of Dot Lake and Tetlin,
47 especially, have probably because of marriage ties and because
48 of movement back and forth. If they've come down to Unit 11 to
49 take caribou, they've probably come down to Unit 11 to take
50 sheep also. And, you know, I find it pretty hard to think that

00103

1 at least in the last three generations that they haven't for
2 sure, so personally I think if Dot Lake was qualified for
3 caribou in that are, it's probably qualified for sheep.

4
5 MS. MASON: Yeah, but there's evidence of ancestral
6 ties between Dot Lake and the other communities that do have
7 traditional harvest there. And I guess the main reason for
8 recommending only Northway is that for that community there is
9 the most active continuation into the present day. But that's
10 not to say, you know, the argument cannot be made based on
11 ancestral ties for other communities, too. It's just that
12 Northway's the strongest.

13
14 CHAIRMAN EWAN: Any further discussion on the
15 amendment? Are you ready to vote on the amendment? Oh, Fred.

16
17 MR. JOHN: I was going to say, as I said before, on
18 the Upper Tanana Northway did come from (indiscernible - away
19 from microphone) the others are just like into Northway, but do
20 have -- the traditional ground area I'm talking about, Northway
21 has traditional hunting area historically in the park and Dot
22 Lake doesn't.

23
24 MR. OSKOLKOFF: Mr. Chairman, can I ask one more
25 question of Rachel? Is this a conglomeration of several
26 proposals or is this one proposal that came from these
27 different sources?

28
29 MS. MASON: You mean is this particular subpart.....

30
31 MR. OSKOLKOFF: Yes, 25B.

32
33 MS. MASON:of 25 -- let's see where it came from.
34 25B is only from the proposal that was submitted by Fred John
35 and Sue and Frank Entsminger.

36
37 CHAIRMAN EWAN: Okay. We're on the amendment yet.
38 Does that answer your question, Gary?

39
40 MR. OSKOLKOFF: Yeah, I -- if I could ask -- well, my
41 problem is that there has to be a degree of continuity and
42 degree of involvement and degree of use and maybe just a quick
43 synopsis of what we're talking about, perhaps percentages or
44 something, is that in here someplace I can just take quick
45 look? If you can refer me to the page so I can.....

46
47 MS. MASON: Yeah. Now, there's no percentage or cut
48 off point that is a hard and fast percentage that's being use
49 here.

50

1 MR. OSKOLKOFF: Okay. Mr. Chairman, part of the
2 problem I have is that I hear it more, and maybe I'm hearing it
3 wrong, but I'm hearing it more in generalities as opposed to
4 specifics, more similar to what we dealt with earlier on this
5 committee in which we would see what percentage are being used,
6 what percentage is being shared. And maybe that would help
7 clear things up for me because I think there is perhaps three
8 different levels that we're actually talking about, one being
9 Northway, which seems even the staff can see a very good
10 continuing use, and then perhaps other communities like Dot
11 Lake or Tetlin or Tanacross.

12
13 And I'm wondering if Tok is in the same category, is
14 not a third category and is the same category. I don't know
15 the area well enough not to have the statistics and still be
16 able to understand it. But I now in the past we have delved
17 into specifics in meeting those eight criteria and now it seems
18 to be -- we're taking a large mouthful here and yet we're not
19 seeing the particulars. At least I'm not seeing them, and like
20 I say, maybe I'm missing something here.

21
22 CHAIRMAN EWAN: I don't think, you know, your questions
23 about this proposal here is out of line, or any other proposal
24 where we are dealing with proposals that were submitted by a
25 group and then, I believe, in my opinion, and I'm not trying to
26 be critical of another Regional Council, but I don't think they
27 were really unanimous, I guess, would be a good word, in their
28 proposals. Do you think there were, Fred?

29
30 MR. JOHN: Yeah.

31
32 CHAIRMAN EWAN: It looks to me like some individual may
33 have recommended something from that particular area, the
34 Eastern Interior, and then along the line there appeared to me
35 there was some division about what would be recommended at the
36 end, that's what it appears to me like.

37
38 MR. OSKOLKOFF: Mr. Chairman, I'd like to say that
39 there seems -- it's a lot more difficult for me because I think
40 perhaps other Regional Councils might have set a different way
41 of looking at the criteria. We set ourselves up with more or
42 less one way to look at the criteria and I've been trying to
43 apply that consistently as we move along and yet I'm not
44 hearing quite the same statistics being quoted as we were when
45 we were dealing with the Kenai, for instance.

46
47 And to give you another for instance, there's -- in the
48 proposals there's mentions of residents along the McCarthy
49 Road, residents along the Nebesna Road. In our deliberations
50 initially we had discussed the need to define a community,

00105

1 since that's how things were based on community basis and these
2 seem to be more area basis where it's very hard to define what
3 the culture or what the standard in the area was and how you
4 can put those different people who happened to live on the same
5 road together and say, as a group, they do this approximately.
6

7 And I know when we got to the Kenai it was very
8 different, we tended to deal with communities and then a lot
9 those people along the road to one community or another,
10 whereas here it seems, more or less, they're being treated as a
11 separate entity. And I'm not being critical, I'm just trying
12 to say that I need some consistency to work with here that I
13 can apply evenhandedly across the board so when some walks up
14 to me and says, why is it that you rejected or adopted a
15 specific proposal, I can say, well, this is the way we've
16 treated it for a number of years, this is -- these are the
17 criteria that we looked at and I -- like I say, and it might be
18 my fault, I'm just having a hard time finding it perhaps.
19

20 MS. MASON: If I could respond to at least a portion of
21 Gary's concerns. This is a really different area from the
22 Kenai Peninsula, and as we've heard before, there's -- from
23 time immemorial there's been a lot of mobility in the people
24 that live in this area, it's much harder to define discreet
25 communities than has been the case in other areas of Alaska and
26 it's a vast territory, so it's not surprising that we don't
27 have information for discreet permanent communities in each of
28 these places.
29

30 I don't know if that responds to all of your concerns.
31 Also, you had asked for some specific data on the different
32 communities and we did locate on Page 128 there is some
33 differences in the recent harvest returns from different
34 communities, which on the bottom of Page 128 there is
35 information showing that harvest ticket data from Northway show
36 the highest number of sheep taken, which is 20 sheep, taken in
37 the period '83 to '93, compared to few or none from some of the
38 other communities that are being considered here.
39

40 So while we did not use any hard and fast cut off
41 percentages or criteria, it was not just arbitrary that only
42 Northway was recommended for this.
43

44 MR. OSKOLKOFF: And I'm sorry, I didn't mean to imply
45 it was arbitrary in that way. I just meant to imply that I
46 didn't understand what criteria -- for instance, in that
47 paragraph it says, harvest returns indicated low level of
48 participation. It's nice if I know what a low level of
49 participation is and when that participation occurred and, you
50 know, just some background on it because there might be a

00106

1 reason for it, you know, there's all kinds of other thinking
2 that has to go into this that we've applied in the past before
3 and it's just helpful.

4
5 And I shouldn't belabor this any further because I know
6 it's going to get late very quickly here, but I just wanted to
7 bring that up if I could.

8
9 CHAIRMAN EWAN: Okay. Any other comments on this
10 motion? I know it's getting late in the day but, Gary, I
11 understand the point you're trying to make, I don't think that
12 we're taking a different direction, I know the recommendation
13 is a little bit different than in the past. I'm stating this
14 for the staff, make it, you know, a kind of different
15 recommendation than we've heard in the past. And the proposals
16 were a little different, I believe, also.

17
18 Rachel pointed that out there, the area is a little bit
19 different than the Kenai Peninsula. Most of the proposals that
20 I've seen that was controversial were -- in the Kenai Peninsula
21 were reported by the Native community and here it's the other
22 way around, these proposals, I believe, quite a few of them are
23 proposed by non-Natives and are being commented on by the
24 Native people and that kind of puts a different slant to it.

25
26 MR. JOHN: The proposals are now being (indiscernible)
27 through this association and whatever is so broad based, you
28 know, you have to look at it real close, it covers up into Unit
29 20 and everything, you know. I don't know that much about Unit
30 20, I don't think they even hunt there unless they fly in.

31
32 CHAIRMAN EWAN: Any further discussion on the proposed
33 amendment?

34
35 MR. OSKOLKOFF: Question.

36
37 CHAIRMAN EWAN: Question is called for. Before we have
38 that, we are modifying this to just have Northway listed,
39 right? Okay. That's what we're voting on right now, okay 25B,
40 we're amending the proposal. All in favor of this proposed
41 amendment say aye.

42
43 (No positive responses)

44
45 CHAIRMAN EWAN: Opposed by the same sign.

46
47 IN UNISON: Aye.

48
49 CHAIRMAN EWAN: Okay. The motion doesn't carry. The
50 amendment is not agreed to, so we'll go on to the main motion.

00107

1 And the main motion is to adopt 25B. Any further discussion on
2 that motion? Are you ready to vote on the motion?

3
4 MR. JOHN: (Indiscernible - away from microphone)

5
6 CHAIRMAN EWAN: Can you speak in that mic?

7
8 MR. JOHN: Oh, what's -- is this the main motion now?

9
10 CHAIRMAN EWAN: Yes.

11
12 MS. MASON: Yes.

13
14 CHAIRMAN EWAN: As is, which would include Dot Lake and
15 all the residents of Unit 12, especially Tanacross, Tok,
16 Northway and Tetlin. Gary.

17
18 MR. OSKOLKOFF: I see this thing in other proposals and
19 I'm confused by the term, especially. It doesn't seem to make
20 much sense, either you're included or you're not, you're
21 not.....

22
23 MS. MASON: The proposals we're mainly concerned with
24 and advocates for those particular communities is -- and so
25 that the way it was written up in the proposal booklet was
26 especially those communities, but the proposal as stated would
27 include the other communities too.

28
29 MR. OSKOLKOFF: And it would have the word especially
30 would have no regulation (indiscernible - interrupted).....

31
32 MS. MASON: No, it would have -- right, that is only
33 intended to reflect the desires of the proposers.

34
35 MR. LOHSE: What are the communities of Unit 12?

36
37 MR. JOHN: (Indiscernible - away from microphone)

38
39 MR. LOHSE: What are they?

40
41 MR. JOHN: Eagle.....

42
43 MS. MASON: No, that's in 20. It includes the five
44 Upper Tanana communities of Tanacross, Tok, Tetlin, Northway --
45 oh, the four. I was thinking of -- it would also include
46 Nebesna and Chisana.

47
48 CHAIRMAN EWAN: Could you repeat the communities again?

49
50 MS. MASON: Nebesna, Chisana, Northway, Tetlin, Tok and

00108

1 Tanacross.

2

3 CHAIRMAN EWAN: All right. Any further discussion on
4 the motion -- on the main motion to adopt 25B?

5

6 MR. JOHN: I'm going to oppose this because some of the
7 communities got no t&c (sic), like Slana. Slana just
8 originally came into existence just a few years ago.

9

10 MS. MASON: Slana is located in Unit 13. Nebesna and
11 Chisana are the ones that I mentioned in Unit 12 in addition to
12 the Upper Tanana ones.

13

14 CHAIRMAN EWAN: Yes, Ralph.

15

16 MR. LOHSE: Rachel, see if I'm correct in understanding
17 you then. What it would actually include would be Tanacross,
18 Tok, Northway, Tetlin, Chisana and Nebesna. Are there actual
19 communities at Chisana and Nebesna?

20

21 MS. MASON: Probably not in the sense of having a
22 government and stuff like that. They are -- they have been the
23 subject of research by ADF&G Division of Subsistence and I
24 can't speak for the residents of the community but I have the
25 impression that there is a sense, that there is a group of
26 people that are associated with a particular place, but I don't
27 think that they have a government or that they're considered a
28 community.

29

30 CHAIRMAN EWAN: For your information, Ralph, I don't
31 have any knowledge of that area either.

32

33 MR. JOHN: I know Chisana is -- was a mining community
34 but, you know, I don't even know how many people live in there.
35 I don't know if anybody live there for.....

36

37 MR. LOHSE: That was my impression. So we're not
38 talking about any amount of people, we're talking Chisana and
39 Nebesna, they're not really.....

40

41 MS. MASON: They're not communities.

42

43 MR. LOHSE: So the real communities are Tanacross, Tok,
44 Northway and Tetlin?

45

46 MS. MASON: That's correct.

47

48 MR. LOHSE: Okay.

49

50 CHAIRMAN EWAN: Are there any more comments on the

00109

1 motion? Any questions or -- Gary.

2

3 MR. OSKOLKOFF: I just want to clarify this again. I
4 think I've asked it before and I have the answer, but all of
5 Unit 12 is considered rural?

6

7 MS. MASON: Yes.

8

9 MR. OSKOLKOFF: Tok is still considered rural?

10

11 MS. MASON: Tok is rural.

12

13 MR. LOHSE: Question.

14

15 CHAIRMAN EWAN: Question is called for, all in favor of
16 adopting Proposal 25B say aye.

17

18 IN UNISON: Aye.

19

20 CHAIRMAN EWAN: Opposed by the same sign.

21

22 (No opposing responses)

23

24 CHAIRMAN EWAN: Motion is carried.

25

26 MR. LOHSE: We ought to take a break before we go on.

27

28 CHAIRMAN EWAN: Okay. Let's take -- how long?

29

30 MR. LOHSE: Five minutes.

31

32 CHAIRMAN EWAN: Five minute break.

33

34 (Off record)

35

36 (On record)

37

38 CHAIRMAN EWAN: I'll call the meeting back to order.
39 We'll just go on down the proposals. I believe the next one
40 will be 25C and, Rachel, you want to give your recommendation
41 again just real quick

42

43 MS. MASON: Thank you, Mr. Chairman. Proposal 25C is a
44 request for a positive c&t for the villages of Mentasta and
45 Chistochina for sheep hunting in Unit 12. And we recommended
46 adoption for that.

47

48 CHAIRMAN EWAN: Do I hear a motion to adopt Proposal
49 25C? Just to get it on the table I'm asking for a motion.

50

00110

1 MR. JOHN: I make a motion.

2

3 CHAIRMAN EWAN: There's a motion by Fred John, is there
4 a second?

5

6 MR. JOHN: 25C?

7

8 MR. ROMIG: Second.

9

10 CHAIRMAN EWAN: There's a motion and second. We're
11 discussing 25C. Any further comments on Proposal 25C?

12

13 MR. OSKOLKOFF: Can I ask for clarification? As I
14 understand it, it would remove all rural residents of Unit 12
15 and replace them with just the residents of Chistochina and
16 Mentasta.

17

18 MS. MASON: Gary, currently there is a no
19 determination, so it is all rural residents no and it would
20 replace that no determination with a positive one for just
21 those two communities.

22

23 CHAIRMAN EWAN: Okay. Everybody clear on that? What
24 you said was there's no positive determination?

25

26 MS. MASON: That's right. All rural residents of
27 Alaska now have the same subsistence eligibility.

28

29 CHAIRMAN EWAN: Okay. We're on Proposal 25C, any
30 further discussion on this? I can tell when we start to get
31 tired here, things slow down.

32

33 MR. LOHSE: Mr. Chairman.

34

35 CHAIRMAN EWAN: Yes.

36

37 MR. LOHSE: One question, and if I understand you
38 right, if you have a positive determination for Chistochina and
39 Mentasta then it eliminates the all rural resident.

40

41 MS. MASON: That's what I've learn, that you can't just
42 have a no de -- if you have looked at an area and considered it
43 then you can't just leave it a no determination for some
44 communities and then have a positive one for other.

45

46 CHAIRMAN EWAN: So this is not a good proposal then, or
47 is it?

48

49 MR. LOHSE: Well, that even eliminates all rural
50 residents of Unit 12 for Unit 12, right? Because Chistochina

00111

1 and Mentasta are Unit 11.

2

3 MS. MASON: That's right.

4

5 MR. OSKOLKOFF: That's what I was confusing on, they're
6 not in the unit, by adopting this we're excluding all the
7 people that are in the unit and adding two villages that are
8 not.

9

10 MS. MASON: That are not in the unit, that's right.
11 There would be nothing to prevent communities that are in the
12 unit from submitting a proposal at a later time, but in this
13 particular proposal and recommendation it's only those two
14 communities which are outside the unit, that are being
15 considered.

16

17 MR. OSKOLKOFF: Could it have been that they intended
18 to be included also?

19

20 CHAIRMAN EWAN: I have no idea. I think Fred might
21 have a better grasp of what's going on here. Fred?

22

23 MR. JOHN: I think Gloria could help.

24

25 CHAIRMAN EWAN: Gloria, do you have a comment on this?

26

27 MS. STICKWAN: (Indiscernible - away from microphone)
28 Unit 12. Our intention wasn't to exclude any other Native
29 villages it was to include Chistochina and Mentasta because we
30 know they use that area.

31

32 MR. LOHSE: So your intention was to include not
33 exclude?

34

35 MS. STICKWAN: Include Mentasta and Chistochina.

36

37 MR. LOHSE: Right.

38

39 CHAIRMAN EWAN: Okay. We have a motion here to adopt
40 25C. Any further discussion?

41

42 MR. OSKOLKOFF: If that was the intention, does this --
43 by adopting this Proposal 25C, will that be the intention?

44

45 CHAIRMAN EWAN: Do the job -- will this do the job as
46 proposed, Gloria?

47

48 MS. STICKWAN: In this includes Chistochina and
49 Mentasta, if you guys pass that, that's what we wanted.

50

00112

1 CHAIRMAN EWAN: Okay. You're starting to confuse me
2 too, now, Gary.

3
4 MR. OSKOLKOFF: Well, what I'm wondering is if we pass
5 this proposed, it would strike all rural residents and I assume
6 that means all rural residents of Unit 12. And was the
7 intention to simply attach the words, residents of Chistochina
8 and Mentasta and to leave in all rural residents of Unit 12?

9
10 MS. STICKWAN: Yes.

11
12 MR. OSKOLKOFF: That was the intention.

13
14 MS. STICKWAN: Let me ask a question, villages in Unit
15 12, right?

16
17 MS. MASON: Yes.

18
19 MS. STICKWAN: So we didn't want to exclude them?

20
21 MS. MASON: I can understand that your intention was
22 only to speak for the two villages that you're proposing for,
23 so you're not denying or accepting the villages of Unit 12?

24
25 MS. STICKWAN: No.

26
27 MS. MASON: I think what the Council is concerned about
28 is that by adopting just those two communities then they would
29 be the only ones with a positive c&t, so only people from
30 outside Unit 12 would have a positive c&t in Unit 12.

31
32 MS. STICKWAN: Well, can we amend this proposal to --
33 or our proposal to -- in a way that it would be added on to
34 what's existing in the regulations right now?

35
36 MS. MASON: The Council can modify it to include other
37 residents, including those in Unit 12.

38
39 MS. STICKWAN: Okay.

40
41 MR. OSKOLKOFF: Can we get some comments from the staff
42 as to if that were appropriate, since essentially we're adding
43 a new c&t then for sheep -- the rural residents of Unit 12 for
44 sheep. If that's what my understanding is -- if my
45 understanding is correct.

46
47 MS. MASON: Yeah. Without having any intimate
48 knowledge of what the situation is for those and without
49 knowing, off the top of my head, what Unit 12 communities are --
50 to me it makes sense for the residents of a community to have

00113

1 c&t for the community and it seemed to not make sense for only
2 residents outside that unit to have c&t in it.

3

4 CHAIRMAN EWAN: Okay. We're still on 25C, the motion
5 was to adopt 25C. Any other comments.

6

7 MR. ROMIG: Yes, I'd like to make an amendment to the
8 original motion.

9

10 CHAIRMAN EWAN: I don't have any particular preference
11 but I believe that the -- from the comments I gather that there
12 is.....

13

14 MR. ROMIG: I'd like to entertain a motion to include
15 all rural residents of Unit 12.

16

17 CHAIRMAN EWAN: There's a motion to amend the proposal
18 to include -- say it again.

19

20 MR. ROMIG: All rural residents of Unit 12.

21

22 CHAIRMAN EWAN: All rural residents of Unit 12. Is
23 there a second?

24

25 MR. OSKOLKOFF: Second.

26

27 CHAIRMAN EWAN: There's a motion and a second to amend
28 Proposal 25C. Do you have a comment, Rachel?

29

30 MS. MASON: I don't if it's worth pointing out at this
31 point, but it's currently a no determination, so that if the
32 proposal is just rejected then the people in Unit 12 as well as
33 the residents of Mentasta and Chistochina would still be able
34 to hunt there. So, I mean, it's all rural residents now
35 without selecting any particular communities. So.....

36

37 CHAIRMAN EWAN: If this amendment passes?

38

39 MS. MASON: Right. No, if you don't -- if you just
40 reject the proposal it would just stay a no determination in
41 Unit 12. Yes -- nevermind, just (indiscernible -
42 laughing).....

43

44 CHAIRMAN EWAN: Yeah, Bob, help us out.

45

46 MR. WILLIS: I'll take a shot at it. Under the current
47 regulation a no determination simply means that it hasn't been
48 looked at to see if any particular group should have c&t or if
49 everyone should have c&t, so currently all the rural residents
50 in the state of Alaska are eligible to hunt sheep in that area.

00114

1 This proposal would eliminate all those people except for the
2 two communities.

3
4 However, if this proposal is rejected outright, all the
5 rural residents of the state of Alaska will still be able to
6 hunt sheep in that unit and that includes the two communities
7 that Gloria is concerned about.

8
9 CHAIRMAN EWAN: What if we do the main motion without
10 amendment? What is the effect of that?

11
12 MR. WILLIS: There would be no need to amend it if you
13 just reject the main motion it'll stay the same as it is, which
14 means that all rural residents would have c&t for that area
15 including the two communities that Gloria is concerned about.
16 They already have c&t for that area it's just that a lot of
17 other people also have c&t for that area.

18
19 CHAIRMAN EWAN: Taylor, you want to make a comment?

20
21 MR. ROMIG: I'd like to withdraw my amendment.

22
23 MR. BRELSFORD: Before the language slips away from us,
24 Mr. Chair, the current status is that no decision is made, no
25 determination means no evaluation, no fact basis, no decision.
26 If you were to reject the proposal and the Board followed along
27 we would continue to have no decision, no determination. There
28 is no c&t finding. When it says no determination that means
29 nothing.

30
31 What our Board did as a safety valve was recognizing
32 that there had been delays in getting the decisions made on c&t
33 and in some areas there were no c&t determinations, they said,
34 if there is no decision, everybody has a chance to go there.
35 Rather than penalizing subsistence users where the Boards had
36 not gotten around to making decisions, in an area of no
37 determination. They did not want to penalize subsistence users
38 and so left it wide open That's what it means when it says all
39 rural residents, it means no decision was made on the merits.

40
41 If you were to adopt either the proposal itself or the
42 amended proposal, then you would be asking the Board to make a
43 decision and the decision result would either Chistochina and
44 Mentasta under the original Proposals 25C or with the amendment
45 it would include residents of Unit 12 plus Chistochina and
46 Mentasta.

47
48 The effect of no determination does not say that
49 everybody in the state has c&t, it's to say that no decision
50 was made on the facts and the Board leaves it wide open so

00115

1 there's no penalty to anybody while the Board process is
2 delayed, while they're waiting for a decision on the merits.

3
4 CHAIRMAN EWAN: Yeah. I follow you. Everybody except
5 -- if we make one recommendation one way or another to the
6 Federal Subsistence Board they will have to make a
7 recommendation whether there is c&t for these communities or
8 for the whole area, the unit that we're talking about. There's
9 something that confused me right there what -- Rachel.

10
11 MS. MASON: Mr. Chairman, from another point of view,
12 the Council just voted on Proposal 25B which would give all
13 residents of Unit 12 a c&t in Unit 11, so to me it would make
14 rational sense then for Unit 12 to have positive c&t in Unit
15 12.

16
17 CHAIRMAN EWAN: So you go along with the proposed
18 amendment?

19
20 MS. MASON: I'd go along with it, yes.

21
22 CHAIRMAN EWAN: Yeah. But I'm still wondering about
23 what Taylor is saying here. Are we kind of making one
24 recommendation, one way or the other, we might hurt ourselves,
25 our communities or individuals somehow down the road?

26
27 MR. BRELSFORD: I decided my comments added smoke
28 rather than light. I think the effect of the amendments --
29 what you're proposing is a positive recommendation to the
30 Board, positive guidance based on your discussion of use
31 patterns in the region. That seems to me to be the way to move
32 forward, offer some specific.....

33
34 CHAIRMAN EWAN: Did I hear you say -- you're saying
35 your counseling us they may not do the way we're recommend and
36 then we would be negatively impacting the who want positive
37 determination, is that what I'm hearing?

38
39 MR. BRELSFORD: No, I don't think that was my point at
40 all. I think that the Board actually prefers having positive
41 recommendations from the Councils based on discussions of what
42 happens out there on (indiscernible - interrupted).....

43
44 CHAIRMAN EWAN: All right. Okay. Any further
45 discussion on the motion? This is an amendment that Ben Romig
46 made, you did want to withdraw it, but you want to keep it in
47 now, right?

48
49 MR. ROMIG: Well, yeah, I suppose.

50

00116

1 CHAIRMAN EWAN: Okay. Are we ready to vote on the
2 amendment? Do you want to repeat the amendment?

3
4 MR. ROMIG: Well, I wanted to include all the rural
5 residents of Unit 12 since we're giving people in Unit 11
6 priority in Unit 12. I wanted to be sure to include them, so
7 it was to include the rural residents of Unit 12. I don't know
8 whether we should include all rural residents as written or
9 should we just withdraw my amendment and reject the proposal
10 and leave it like it is.

11
12 CHAIRMAN EWAN: Did you second it, Ralph?

13
14 MR. LOHSE: No, I didn't second it.

15
16 CHAIRMAN EWAN: Somebody did, Gary?

17
18 MR. LOHSE: Gary.

19
20 CHAIRMAN EWAN: Gary, you seconded the motion.

21
22 MR. OSKOLKOFF: Yeah.

23
24 CHAIRMAN EWAN: Okay. What's your recommendation,
25 Ralph?

26
27 MR. LOHSE: Well, my comment on what he just said is if
28 we're making a c&t for Chistochina and Mentasta, I don't think
29 we would want to include all rural residents from the rest of
30 the state because the rest of the state does not definitely
31 have c&t in that area. From the findings that we did in the
32 previous one I think we could infer that residents of Unit 12
33 probably have had a c&t in that area, especially if we found
34 them to have a c&t in Unit 11.

35
36 I could support the amendment, in fact, I would support
37 the amendment, I wouldn't support the proposal unamended
38 because I couldn't support the proposal if it takes out the
39 people from Unit 12, so I'd support the proposal as amended
40 with rural residents of Unit 12 having a c&t along with
41 Chistochina and Mentasta.

42
43 MR. JOHN: I thought they did already.

44
45 MR. LOHSE: They didn't.

46
47 MR. OSKOLKOFF: Yeah, Mr. Chairman.

48
49 CHAIRMAN EWAN: Go ahead.

50

00117

1 MR. OSKOLKOFF: That was my confusion, too, because the
2 way we've read it in the past is that it says Unit 12
3 remainder, sheep. And then it says all rural residents. In
4 the past we always meant that to mean or we thought it meant
5 all rural residents of Unit 12, as opposed to statewide. And
6 since we didn't -- I didn't understand the distinction between
7 the two, now I do, and I think that's exactly what we're going
8 to have to do if we're going to -- if that's what we intend to
9 do is include the residents of Unit 12 in a hunt that occurs
10 within their own unit.

11
12 CHAIRMAN EWAN: Okay. Any further comments on the
13 amendment. Are you ready to vote?

14
15 MR. LOHSE: Question.

16
17 CHAIRMAN EWAN: Question is called for, all in favor of
18 amending 25C as proposed say aye.

19
20 IN UNISON: Aye.

21
22 CHAIRMAN EWAN: Opposed by the same sign.

23
24 (No opposing votes)

25
26 CHAIRMAN EWAN: Motion is carried. On the main motion
27 now.

28
29 MR. OSKOLKOFF: I have a question in regards to the
30 term remainder.

31
32 MS. MASON: I believe that refers to the portion that's
33 not in the Tok Management Area.

34
35 MR. OSKOLKOFF: Okay. Thank you.

36
37 CHAIRMAN EWAN: Any further discussion on the main
38 motion.

39
40 MR. OSKOLKOFF: Question.

41
42 CHAIRMAN EWAN: Question is called for, all in favor of
43 adopting 25C as amended say aye.

44
45 IN UNISON: Aye.

46
47 CHAIRMAN EWAN: Opposed by the same sign.

48
49 (No opposing votes)

50

00118

1 CHAIRMAN EWAN: Motion is carried. That brings us to
2 25D.

3
4 MS. MASON: Mr. Chairman, what the amendment that you
5 just brought in covers a portion of what is in 25D. 25D
6 requests a positive c&t determination for the residents of Unit
7 11, 12 and 20(D), east of the Johnson River for sheep hunting
8 in Unit 12. And you have just voted on a modification of 25C
9 that would give residents of Unit 12 positive c&t in Unit 12.

10 What you need to consider in 25D are residents of Unit
11 11 and the residents of 20(D), east of the Johnson River. And
12 our preliminary conclusion was to reject this proposal.

13
14 CHAIRMAN EWAN: Okay. I would entertain a motion to
15 adopt 25D for discussion purposes.

16
17 MR. LOHSE: So moved.

18
19 CHAIRMAN EWAN: There's a motion to adopt 25D, is there
20 a second?

21
22 MR. OSKOLKOFF: Second.

23
24 CHAIRMAN EWAN: There's a motion and second. Any
25 further discussion on 25D? This is the area that is really out
26 of my area, 20(E) (sic), east of the Johnson River, I'm not
27 very familiar with that area at all.

28
29 MS. MASON: Dot Lake is part of 20(D), east of the
30 Johnson River, there are some other communities that were
31 brought up earlier today. I think Fred John mentioned them,
32 that there is a community called Dry Creek, I believe, that's a
33 religious community and there is two different villages of Dot
34 Lake, so it might -- if the Council wants to act on this, they
35 might want to separate it by community or what communities are
36 recommended, rather than saying east of the Johnson River.

37
38 CHAIRMAN EWAN: Ralph.

39
40 MR. LOHSE: Mr. Chair, I feel like we've addressed 25D
41 when we addressed 25B and discussed who was going to be c&t in
42 Unit 11. And from that standpoint I'll vote against 25D.

43
44 CHAIRMAN EWAN: Any other comments on 25D?

45
46 MR. JOHN: Question.

47
48 CHAIRMAN EWAN: Question is called for, all in favor of
49 adopting 25D say aye.

50

00119

1 (No positive responses)

2

3 CHAIRMAN EWAN: Opposed by the same sign.

4

5 IN UNISON: Aye.

6

7 CHAIRMAN EWAN: Okay. The Proposal 25D is rejected.

8 We'll go on to 25E.

9

10 MS. MASON: 25E was a request to revise the c&t
11 determinations for sheep in Units 11, 12, 13(C), 20(D) and
12 20(E) in order to make them consistent. And our conclusion was
13 to reject the proposal and noted that the intent of that
14 proposal seemed to have been covered in the consideration of
15 the other parts that you've already looked at.

16

17 CHAIRMAN EWAN: Is that it?

18

19 MS. MASON: Yeah.

20

21 CHAIRMAN EWAN: All right. I'll entertain a motion to
22 adopt 25E.

23

24 MR. OSKOLKOFF: Move to adopt 25E.

25

26 MR. JOHN: I second it.

27

28 CHAIRMAN EWAN: There's a motion and a second to adopt
29 25E. Any further discussion on Proposal 25E?

30

31 MR. JOHN: Question.

32

33 CHAIRMAN EWAN: Question is called for. The question
34 to adopt 25E, all in favor say aye.

35

36 (No positive responses)

37

38 CHAIRMAN EWAN: All opposed by the same sign.

39

40 IN UNISON: Aye.

41

42 CHAIRMAN EWAN: 25E is rejected. We'll go on to 25F.

43 Rachel.

44

45 MS. MASON: Mr. Chairman, would it be possible for you
46 to consider both 25F and 25G together because they are both
47 proposals that you've already dealt with in one way or another.

48

49 CHAIRMAN EWAN: Okay. You mean.....

50

00120

1 MS. MASON: Okay. Proposal 25F was requesting a
2 positive c&t for Dot Lake and Tanacross in Unit 11 for sheep
3 hunting. And then Proposal 25G was for a positive c&t for Tok
4 and Tanacross in Unit 11. So they're both for Unit 11 and
5 various combinations of communities. And we recommended
6 rejecting both of them because they've been already dealt with
7 in the other proposals.

8
9 CHAIRMAN EWAN: Is there a problem dealing with both of
10 them at once?

11
12 MS. MASON: Can they do them both at once?

13
14 MR. LOHSE: I move we make a motion to adopt 25F and G
15 in combination.

16
17 MR. JOHN: Second.

18
19 CHAIRMAN EWAN: There's a motion and second. Any
20 further discussion on Proposal 25F? Did you want to make a
21 comment on it?

22
23 UNIDENTIFIED VOICE: Question.

24
25 MS. MASON: I don't have any further comment. You have
26 already dealt with both of those communities in your past
27 deliberations. Both those proposals.

28
29 CHAIRMAN EWAN: What should be our action here then to
30 follow?

31
32 MR. LOHSE: He called the question.

33
34 MS. MASON: I believe it was -- they both -- they have
35 c&t in Unit 11, according to your.....

36
37 CHAIRMAN EWAN: I don't want to be doing something that
38 we already took action on, I don't want to adopt it here. All
39 right. The question's been called for. Ready to vote? All in
40 favor of adopting 25F and G say aye.

41
42 (No positive responses)

43
44 CHAIRMAN EWAN: Opposed by the same sign.

45
46 IN UNISON: Aye.

47
48 CHAIRMAN EWAN: Okay. 25F and 25G are rejected. We're
49 on to 25H.

50

00121

1 MS. MASON: Mr. Chairman, I feel you will all be as
2 happy as I was to discover that that has been withdrawn. It
3 was withdrawn a while ago and we didn't know it, but it was a
4 real confusing one. That was the one that dealt with the Tok
5 Management Area.

6
7 CHAIRMAN EWAN: So we don't have to consider that?

8
9 MS. MASON: Yeah.

10
11 CHAIRMAN EWAN: All right. What time of day is it
12 anyway?

13
14 MS. MASON: 4:02.

15
16 CHAIRMAN EWAN: 4:0 o'clock. We'll go on till 5:00 if
17 there's no objections. The next proposal -- I don't have my --
18 I lost my sheet here, what are we on, 26?

19
20 MR. LOHSE: 68.

21
22 CHAIRMAN EWAN: Okay. We're dealing with 26 now?

23
24 MR. WILLIS: Mr. Chair.

25
26 CHAIRMAN EWAN: 68, I'm sorry. I lost my cheat sheet,
27 I don't know what happened to the numbers here.

28
29 MS. MASON: Mr. Chairman, I need to pick up my kids by
30 5:00 o'clock and so I -- with your indulgence I wonder if we
31 could do 26 now because if we do 68 and then we just get
32 started on 26 then we'll probably be in the middle of 26 when
33 it comes time for me to.....

34
35 CHAIRMAN EWAN: So you want us to get into 26?

36
37 MS. MASON: I think we can do it in an hour, I'm hoping
38 we can. Or the other idea would then to go on after 68 to do
39 another one that Robert is the lead on.

40
41 CHAIRMAN EWAN: Go ahead, then, you have comment on the
42 next proposal then.

43
44 (Off record comments - many voices on next proposal)

45
46 MS. MASON: We've come to another solution which would
47 be to go on to 68, which is the one that is next. And then go
48 to another Subpart D proposal which Robert is the lead on after
49 that because 26 is likely to take more than an hour.

50

00122

1 CHAIRMAN EWAN: Okay. For everyone's information we're
2 going to deal with Proposal 68. Rachel or Bob.

3
4 MR. WILLIS: Thank you, Mr. Chair. Proposal 68 was
5 submitted by Mr. Robert Marshall and it would lengthen the
6 sheep season in Unit 11 by one month. The current season is
7 August 10 to September 20, this would create a season of August
8 10 to October 20.

9
10 This proposal will have a somewhat different analysis
11 today than you have in your book because we have some new
12 information that we didn't have when the book was put together.
13 The situation with the sheep population is unchanged in that
14 there's been a general decline in that unit over the last
15 several years. And back in 1992 there was a proposal to
16 lengthen it which was rejected by the Board on the basis that
17 there was a decline ongoing unit wide. And it was felt that
18 additional pressure during the late season would be detrimental
19 to the population.

20
21 In our first go around with this, and we had a short
22 time frame to get this book published and out to the Council
23 members. We looked at the overall harvest in Unit 11 and the
24 overall survey data in Unit 11 and made a decision based on
25 that to reject this proposal because we were concerned that
26 there would be excessive harvest during that late season along
27 the accessible areas of the unit, which is along the road
28 system.

29
30 I was concerned at that time because we didn't have
31 time to dig very deeply into the database and I had not been
32 able to find out who was harvesting sheep and what age and sex
33 of sheep they were harvesting. I had a few days when the last
34 of the proposal books were done the end of last week to go back
35 to the data and have a special program run to separate the
36 harvest just in those units along the road system and to split
37 it up by rural and nonrural residents, locals and nonlocals and
38 also by sex and age.

39
40 What I found, to my amazement, was that within those
41 units that we were concerned about only about 25 percent of the
42 harvest was by local residents, the other 75 percent was mostly
43 nonrural residents, but there were also a very large number of
44 nonlocal rural residents were coming into that area to hunt.

45
46 I also found that of the sheep that were being taken by
47 the local residents who have c&t for sheep in Unit 11, 89
48 percent were rams. Our major concern was not the harvest of
49 rams but rather the harvests of ewes. And just looking at
50 those units along the road system, which were the areas of

00123

1 concern, we find that the local residents are not taking a
2 large number of sheep and most of the sheep they are taking are
3 rams.

4
5 So that caused us to rethink our position and we felt
6 that with that level of use that the population could
7 accommodate an extended season for local residents only. We
8 discussed this with the State biologist in the area and he felt
9 that this would be acceptable. His concern, and ours too, was
10 that we monitor the harvest very closely through a registration
11 permit to make sure that we did not have excessive harvest
12 during the late season.

13
14 The areas of concern are along the Kotsina Trail, the
15 McCarthy Road and a small area of Unit 11 along the Nebesna
16 Road. There are other restrictions that will be.....

17
18 CHAIRMAN EWAN: (Inaudible)

19
20 MR. WILLIS: Say again.

21
22 CHAIRMAN EWAN: What areas are you concerned about?

23
24 MR. WILLIS: Kotsina, it's an offshoot of the McCarthy
25 Road, right after you turn off the main highway going toward
26 McCarthy there's a trail, I don't know if it's passable to
27 vehicles right now but the Kotsina River drainage and the
28 Crystalline Hills area are the two areas of concern on that
29 side of the unit. Then on the other side a small portion of
30 Unit 11 is successful from the Nebesna Road.

31
32 Between the access problems and the low number of
33 people that we anticipate that will be using this area, we
34 decided that we could support this proposal. Did not have an
35 opportunity to discuss it with the Park Service biologist until
36 lunch time today when I was finally able to catch him on the
37 phone. He was, as I would have been, a little concerned, it
38 had a last minute turnaround and having to make a
39 recommendation without having time to think about it, but he
40 felt that our reasoning was sound and that since the State
41 biologist was also in agreement that we could proceed and
42 monitor the harvest closely.

43
44 And our thinking is we will do this for a year, look at
45 it and see if there is an excessive harvest then we can look at
46 restricting non-subsistence use within that part of the unit
47 that's along the road system. And so that's going to be our
48 recommendation rather than the one that you see printed in your
49 analysis.

50

00124

1 It could well be that the harvest will be less than we
2 anticipate because of a shift in harvest. If people can hunt
3 late, they may not hunt early and so some of the sheep taken
4 during the late season may also be sheep that would have been
5 taken during an early season. So at this point we feel that
6 the harvest will not be excessive and that we can accommodate
7 the extended season under a registration permit system.

8
9 CHAIRMAN EWAN: So your recommendation would be to
10 support the proposal?

11
12 MR. WILLIS: Support the proposal, yes.

13
14 CHAIRMAN EWAN: Yes, Ralph.

15
16 MR. LOHSE: Mr. Chair, Robert, that would apply only to
17 those residents who have a c&t determination for Unit 11 then?

18
19 MR. WILLIS: That's correct.

20
21 CHAIRMAN EWAN: Any other questions or comments for
22 Robert? Ralph.

23
24 MR. LOHSE: The other question I had was were you
25 intending to keep it as one sheep or did you feel it necessary
26 to change it to one ram?

27
28 MR. WILLIS: At this point we're going to leave it one
29 sheep, I think. You know, we're -- obviously this analysis is
30 ongoing right up until right now and we're still discussing it.
31 But currently they're harvesting '89 percent rams and not that
32 many sheep total, so we feel that it's safe enough to leave it
33 at one sheep at this point. Between now and the Board meeting,
34 you know, we may change our minds, we'll be discussing this and
35 giving it some more thought between now and then, but at this
36 point we're not anticipating recommending change in the harvest
37 limit to one ram rather than one sheep.

38
39 That population is driven by weather and wolf predation
40 more than it is by hunting to begin with and the decline was
41 ongoing even before harvest -- the harvest used to be one ram
42 and then it was changed to one sheep. And there's -- the State
43 is not concerned about it in this particular area and I have no
44 reason to be either at this point.

45
46 CHAIRMAN EWAN: Go ahead, Ralph.

47
48 MR. LOHSE: Bob, the only question I have is the one
49 sheep herd that I have intimate knowledge with, which is the
50 one on the Crystalline Hills, which your data shows has dropped

00125

1 from 209 sheep in 1982 to 79 in 1994. And looked even lower
2 than that to me this fall when I was there. Is totally
3 accessible at that time of the year because they come down to
4 those lower hills for breeding. And that's right along side of
5 the road system. I truly believe that that particular herd of
6 sheep has been driven down by overhunting.

7
8 Since that particular herd is on a one sheep basis
9 where most of the rest of Unit 11 is on rams only, and that
10 particular herd of sheep -- well, I know in the early '60s it
11 was probably in the neighborhood of 4-500 sometime in fall and
12 we used to count a lot of rams there. That just seems like --
13 at 79 sheep that are going to be -- it would be like hunting
14 the herd in Chitina which after -- by that time of the year
15 comes right down to the road in town there. I mean it's going
16 to be -- it's going to be extremely vulnerable.

17
18 MR. WILLIS: Are you saying, Ralph, that the breeding
19 season is in early to mid October in that area? Normally it's
20 a little bit later than that.

21
22 MR. LOHSE: By the 20th of October they're down there --
23 well, the rams are down there with the ewes on the hillside,
24 in fact, they're down there by the 1st of October. I don't
25 think the rut has actually started, although I know I've seen
26 evidence of it in pretty full swing by the first of November.

27
28 MR. WILLIS: That's good information. As I said, we're
29 still in the process of thrashing thing out and it was just, I
30 guess, yesterday that we arrived at the decision to recommend
31 supporting the proposal so we really haven't given a whole lot
32 of thought. With your input it sounds like we should give
33 serious consideration to making it one ram instead of one
34 sheep.

35
36 We discussed that to some degree with the local State
37 biologist and he was not concerned about it and sitting down
38 here in Anchorage I don't feel confident to override his
39 thinking, but certainly there would be no objection from a
40 biological standpoint to limiting it to one ram.

41
42 You know, hunting any sheep as opposed to hunting any
43 ram is a controversial subject and depending on which sheep
44 expert you talk to it's either acceptable or totally
45 unacceptable. And you can find both within the Alaska
46 Department of Fish and Game. I know two people who are sheep
47 experts and they'll give you opposite opinions on that.

48
49 MR. LOHSE: Robert, I wasn't objecting to the one sheep
50 so much as to the fact that you have that one isolated herd

00126

1 that is very accessible by road access. I mean, it's
2 accessible enough that at times a person with a good rifle can
3 shoot them from the road. I mean, that's how far down they
4 come. Now, I haven't noticed them coming down that much in the
5 last few years that we've gone up there, like they used to in
6 the early '60s when there was no traffic on the road, so I may
7 be wrong on that, maybe more of them are holding farther back
8 in the hills.

9
10 But that was just a concern I had, I wasn't saying that
11 you should go to rams only. That is a very accessible herd
12 where a lot of the sheep in Unit 11, even at that time of the
13 year, somebody's going to have to make an effort to go in there
14 and get, but that herd comes down -- at that time of the year
15 it comes right down.

16
17 MR. WILLIS: That's why it was an area of major concern
18 and I guess our feeling is in looking at the data and the
19 harvest that's taking place in the past with, what, a 42 day
20 season and one sheep, the people that have c&t for that area
21 have averaged taking 12 sheep a year and only one of those has
22 been a ewe. And at that level, you know, I can't predict a
23 potential threat. We may find there is one, you know, and
24 certainly we'll shut it down in a second if there's a lot of
25 people start driving out there and shooting sheep on the road.

26
27 This was a concern that was originally expressed to us
28 by both the Park Service and ADF&G was that there were no other
29 big game hunting seasons going on at that time. And so if you
30 had a sheep hunt in October that a lot of people would go
31 hunting sheep because there was nothing else to hunt and they
32 had the opportunity to go. This is really a dicey situation to
33 try to make a call on, you know, where we try to accommodate
34 the local users. We see an opportunity to do so, we think
35 it'll be okay, but obviously we don't know for sure.

36
37 MR. LOHSE: I think you're going to have to monitor it
38 pretty closely because -- or you may have to modify it by
39 individual area, simply because you do have some areas that are
40 extremely accessible.

41
42 CHAIRMAN EWAN: And I believe that that's what you're
43 recommending, right?

44
45 MR. WILLIS: We recommend a registration permit hunt
46 which has rather (indiscernible - interrupted).....

47
48 CHAIRMAN EWAN: And close monitoring too.

49
50 MR. WILLIS:reporting requirements and can be

00127

1 shut off quickly if there's an excessive harvest taking place.
2 Limiting it too the more remote areas or eliminating the areas
3 along the road system might not accomplish what the local
4 people want to do, you know, it's giving them a hunt for sheep
5 that they can't get to, so I'm not sure that that would be a
6 satisfactory approach.

7
8 CHAIRMAN EWAN: Any other questions of Robert? If not
9 we'll go on down to the written comments.

10
11 MS. EAKON: Yes, Mr. Chair, we received two comments on
12 Proposal 68. The Alaska Department of Fish and Game does not
13 support this proposal. This proposal would allow the taking of
14 any sheep for 30 days beyond the current season closing date on
15 Federal public lands in Unit 11. Sheep move down to lower
16 habitats in late September and October and ewes and some legal
17 rams would be particularly vulnerable to overharvest.

18
19 The proposed season would be the only one open for big
20 game in the area. Primary hunting areas would be along or near
21 the Nebesna Road and Chitina/McCarthy Road Corridor and
22 therefore easily accessible. The prohibition of the use of
23 aircraft to access areas of the Wrangell/St. Elias National
24 Park for subsistence purposes reduces the availability of
25 alternative hunting locations in Unit 11 and makes it more
26 difficult to distribute the harvest over a longer area.

27
28 Another concern of the Department is the potential
29 increase in the number of hunters eligible for this hunt if the
30 current c&t determination is expanded. If this proposal is
31 adopted a harvest quota should be established that will
32 minimize the risk of overharvest. Careful monitoring of this
33 hunt should also be required so that the effects of this hunt
34 can be fully evaluated and corrective action taken if
35 necessary.

36
37 The other comment was from the Wrangell/St. Elias
38 National Park Subsistence Resource Commission which supports an
39 amended proposal which would provide a season from September 21
40 to October 20 for persons age 60 and older.

41
42 And that concludes the written comments.

43
44 CHAIRMAN EWAN: Thank you, Helga. The next step would
45 be to get comments from the public, I believe. Go ahead,
46 Gloria.

47
48 MS. STICKWAN: We wanted to amend this proposal. We
49 wanted to have -- to keep the hunt for other rural hunters for
50 August 10th through September 20th. And then have the August

00128

1 10th through October 20th for the Ahtna villages only because
2 we were concerned about people coming in and over -- you know,
3 killing all the sheep.

4
5 CHAIRMAN EWAN: Could you repeat that again? To amend
6 to do what?

7
8 MS. STICKWAN: We want to amend the proposal to have
9 the hunt for the seven Ahtna villages from August 10th through
10 October 20th and then keep the August 10th through September
11 10th for the other rural hunters. There would be two hunts.

12
13 CHAIRMAN EWAN: All right. Any other comments from the
14 public on this proposal? (Pause) Okay. We're done with all
15 the steps except for our own -- oh, agency comments, I'm sorry.

16
17 MS. ANDREWS: Thank you, Mr. Chairman, Elizabeth
18 Andrews, Department of Fish and Game. Yeah, with this new
19 information that Robert Willis has provided and he's had some
20 initial discussions with our area biologist. Obviously we have
21 some concerns that there be close monitoring and certainly one
22 way to do that is with a registration permit that was suggested
23 here.

24
25 The other option that we might want to consider and
26 discuss with the Federal biologist would be having a harvest
27 quota, so we'd want to look at who's potentially available now
28 that you've made certain recommendations for c&t. And look at
29 the amount of where the Federal lands are, where the sheep
30 would be at that time of year and then consider whether it
31 might be appropriate to have a harvest quota.

32
33 So we just would like to be able to continue some
34 discussion with the Federal staff before final comments to the
35 Board. Thank you.

36
37 CHAIRMAN EWAN: Thank you. Any questions or comments?
38 Oh, I didn't see your hand. Come on down there, Sandy.

39
40 MR. RABINOWITCH: Good afternoon. The Park Service has
41 just a couple of short comments. One, as I think Robert said,
42 we are without a firm position on this at the moment and simply
43 need a little bit more time to kind of get our feet on firm
44 ground.

45
46 We do have one suggestion and one specific comment
47 though. Looking at the original submission the suggestion we
48 throw out at you is just food for thought, is that you may want
49 to consider the concept of a designated hunter option as
50 another approach. We're not recommending it, one way or the

00129

1 other, we're just throwing it out on the table.

2

3 The one specific comment or recommendation that we can
4 make is that if this proposal goes forward as Robert has
5 recommended that we would support the permit aspect, we think
6 that's a good element and we would support that. Bruce
7 Greenwood from the Park Service has one other comment.

8

9 MR. GREENWOOD: A consideration for the Council would
10 be that with the acceptance of Proposal 25B you've actually
11 increased the number of users that could be harvesting any
12 sheep. If the Subsistence Board, that is adopted your
13 recommendation, if so, you'd have the five communities in Upper
14 Tanana harvesting sheep in there, including Tok.

15

16 MR. RABINOWITCH: That's all we got.

17

18 CHAIRMAN EWAN: Any questions or comments -- do you
19 have further comment? All right, thank you.

20

21 MR. WILLIS: I'll just say that the addition of that
22 many communities may change things significantly. It would put
23 almost certainly, at least off the top of my head, almost
24 certainly require a harvest quota with the addition of those
25 communities because, you know, my figures are based on the
26 communities that currently have c&t in Unit 11 and not the
27 communities that would be added.

28

29 CHAIRMAN EWAN: Okay. Anybody else got a comment on
30 that? Ralph.

31

32 MR. LOHSE: You mentioned the designated hunter, in
33 order to do that we would have to put -- probably in line with
34 this we'd have to either put an age limit, something like that
35 on it, so that could take place. Can we -- since this proposal
36 was brought up with the age being involved in it, can we
37 legally address this from the standpoint of age? I mean, are
38 we allowed to discriminate on the basis of age?

39

40 CHAIRMAN EWAN: Ralph, I had that same question, too,
41 I'm glad you brought it up, yeah.

42

43 MR. RABINOWITCH: I'm not going to purport to be the
44 definitive source of information to answer that but I'll start
45 out and others may want to help. It's my recollection that
46 when the Federal Board did, a year or so ago, provided the
47 option on a case by case basis to use designated hunter option,
48 that it was considered whether or not to use age, illness, and
49 there may have been one other category. And after quite a bit
50 of discussion those were rejected, I think, about not wanting

00130

1 to have, you know, sort of notes from your doctor that you did
2 have designated hunter and so on and so forth. And so it was
3 left as an open-ended kind of option.

4

5 But others may want to add in to help clarify a little
6 bit.

7

8 CHAIRMAN EWAN: Robert, do you want to comment on that?

9

10 MR. WILLIS: Yes. I would just add that we considered
11 that option, we also considered the proposal from the SRC to
12 limit this hunt to people over 60 because it was submitted by
13 an elder and the concern was that the elders could no longer
14 climb high enough to hunt in the early part of the season.
15 That was a very attractive alternative to this, but it's my
16 understanding that before you can restrict subsistence use then
17 you have to go through the 804 criteria.

18

19 That is if you're saying that one group of subsistence
20 hunters has a priority over other subsistence hunters it has to
21 be for one of the three reasons or it has to be based on the
22 three criteria that are established in Title VIII of ANILCA.
23 Age is not one of those criteria.

24

25 So again, we're still thrashing this thing around,
26 but that was the wall we ran up to initially. There may be a
27 way around it that I'm not aware of because I'm not a lawyer.

28

29 CHAIRMAN EWAN: Ralph.

30

31 MR. LOHSE: Robert, wouldn't we run into the same
32 situation if we tried to limit to the Ahtna villages?

33

34 MR. WILLIS: Yes.

35

36 CHAIRMAN EWAN: Does that answer your question about
37 the age?

38

39 MR. LOHSE: That answer the question, so about the only
40 thing left is quota.

41

42 CHAIRMAN EWAN: As far as options?

43

44 MR. LOHSE: Yeah.

45

46 CHAIRMAN EWAN: Any suggestions on a quota, I think
47 you've kind of.....

48

49 MR. WILLIS: We haven't had time to discuss.....

50

00131

1 CHAIRMAN EWAN: You mentioned permits, registration
2 permits.

3
4 MR. WILLIS: There would be a registration permit.

5
6 CHAIRMAN EWAN: We could have a quota on that?

7
8 MR. WILLIS: It doesn't automatically have a quota, you
9 set a quota according to the situation and we would have to get
10 together with Alaska Department of Fish and Game and
11 Wrangell/St. Elias National Park to decide what that quota
12 should and whether it should be limited to rams or whether it
13 could be either sex.

14
15 CHAIRMAN EWAN: Gary.

16
17 MR. OSKOLKOFF: Is there a possibility that the quota
18 could, in fact, limit what this gentleman intends to do in that
19 the quota could be up before the extra part of the season is
20 added? In other words that it might drive people to obtain a
21 quota quickly and therefore he still wouldn't be in a situation
22 where he could access these sheep?

23
24 MR. WILLIS: I would just be speculating on that. I
25 haven't considered that possibility and can't really answer
26 your question, Gary. I suppose it's conceivable. I'm not sure
27 we would set a quota for the entire season, we might set a
28 quota for the late season, you know, there's a number of
29 options there that we just haven't had time to explore.

30
31 CHAIRMAN EWAN: Okay. Are we done with Robert and
32 everybody else? Ralph, do you have some more questions?

33
34 MR. LOHSE: Robert, just from your opinion, if we
35 supported this and tried it for one year, the potential to do
36 long term damage is not beyond the ability to react if we go to
37 a registration hunt, is it?

38
39 MR. WILLIS: We don't think so.

40
41 MR. LOHSE: So we could, technically speaking, give
42 this a try the way it's written and see what happens?

43
44 MR. WILLIS: That's the idea and use the registration
45 permit and possibly a quota to make sure that we didn't do too
46 much damage. It's really a guessing game to figure out how
47 many people are going to go out there and try and shoot a sheep
48 at that time of the year.

49
50 CHAIRMAN EWAN: And then we should be taking into

00132

1 consideration what Bruce said about the other eligible hunters
2 from other areas, right? Will impact if we extend the season.
3 So did you have further comment?

4
5 MR. GREENWOOD: I had one more comment myself. If
6 we're talking a harvest quota on this population, we're also
7 talking 804 process, we'd have to allocate those limited number
8 of animals amongst the communities, which would be probably
9 approximately 23 communities, which could have c&t.

10
11 CHAIRMAN EWAN: Ralph.

12
13 MR. LOHSE: Robert, does the -- if this season was set
14 in place, does the subsistence management have the ability to
15 use EO like the Fish and Game Department to make emergency
16 closures if it appears to be getting out of hand.

17
18 MR. WILLIS: Yes, we could do an emergency closure. In
19 the case of sheep -- these are good for only 60 days, but
20 obviously in this case that would be sufficient to close it
21 through the end of the season. One of the reasons that we have
22 not used those in the past is that they do have a time limit on
23 them and if it doesn't go to the end of the season then you got
24 to go through the process again.

25
26 CHAIRMAN EWAN: Go ahead, Sandy.

27
28 MR. RABINOWITCH: I would also add that though I'm not
29 aware that it's ever been done, but the Park Service has the
30 ability to close any, I almost said park, park, preserve,
31 monument lands through its only regulatory ability. I don't
32 think the Park Service has ever taken an action like that to
33 override a Federal Board action but we believe that technically
34 that authority does exist. So I think there's two safety nets
35 if I characterized them that way.

36
37 MR. LOHSE: Mr. Chairman.

38
39 CHAIRMAN EWAN: Yes, Ralph.

40
41 MR. LOHSE: It sounds to me like if we did pass this
42 proposal to try it for a year the ability is there to protect
43 the resource, so from that standpoint, if it's time for us to
44 go on, I'll just make a motion that we approve Proposal 68.

45
46 MR. OSKOLKOFF: Second.

47
48 CHAIRMAN EWAN: Are we done with -- let's see if we're
49 done with the process?

50

00133

1 MR. LOHSE: Yeah.

2

3 CHAIRMAN EWAN: Okay. Your motion is in order.
4 There's a motion to approve Proposal 68, is there a second?

5

6 MR. OSKOLKOFF: Yes.

7

8 CHAIRMAN EWAN: There's a motion and a second to
9 approve Proposal 68. On comments I just want to say I've known
10 Robert Marshall most of my life, he lives in Tazlina just 15
11 miles or so from my place. He's a relative of mine. And I
12 think what he's trying to fix is something we ought to go along
13 with myself because I'm getting up in age too and I know it'll
14 be hard getting -- it is hard right now to get up the mountain,
15 even for the younger people, I'm sure.

16

17 But he has, I think, a real concern for people his age.
18 He can no longer climb the mountains and what he's trying to do
19 is be able to get a sheep yet at his age, when the sheep are
20 down lower at on the mountain. I know there's a lot of
21 concerns, but I'm speaking in favor of the proposal.

22

23 Any other comments?

24

25 MR. OSKOLKOFF: Question.

26

27 CHAIRMAN EWAN: Question is called for. All those in
28 favor of adopting Proposal 68 say aye.

29

30 IN UNISON: Aye.

31

32 CHAIRMAN EWAN: Opposed by the same sign.

33

34 (No opposing votes)

35

36 CHAIRMAN EWAN: Motion is carried. We are right on
37 time to stop if we want to stop now or do we want to go on?

38

39 MR. WILLIS: We should have a clarification on the
40 record that this recommendation would include a registration
41 permit.

42

43 MR. LOHSE: Mr. Chairman.

44

45 CHAIRMAN EWAN: Yes.

46

47 MR. LOHSE: I so move that we pass this regulation with
48 the understand that there would be a registration permit issued
49 and it would be kept close track of and monitoring would be
50 there to an EO closure in case of emergency.

00134

1 CHAIRMAN EWAN: You want to put that in the form of a
2 motion?

3
4 MR. LOHSE: Yeah, I put that in the form of a motion.
5

6 MR. OSKOLKOFF: Second.
7

8 CHAIRMAN EWAN: There's a motion and second. Further
9 discussion on the motion? Are you ready to vote on the motion?

10
11 MR. DEMENTI: Question.
12

13 CHAIRMAN EWAN: Question is called for, all in favor of
14 the motion as stated by Ralph Lohse say aye.

15
16 IN UNISON: Aye.
17

18 CHAIRMAN EWAN: Opposed by the same sign.
19

20 (No opposing votes)
21

22 CHAIRMAN EWAN: Motion is passed. I think that's it
23 for today, it's 5:00 o'clock. I don't wear a watch so I'm
24 always asking.

25
26 MR. WILLIS: It's about five till, close enough to 5:00
27 o'clock.
28

29 CHAIRMAN EWAN: Okay. We'll start with the next
30 proposal tomorrow morning. What time do you want to start?
31 8:00 o'clock.

32
33 (Off record)
34

35 (MEETING RECESSED)
36

37 * * * * *

00135

C E R T I F I C A T E

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UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the
State of Alaska and Reporter and owner of Computer Matrix, do
hereby certify:

THAT the foregoing pages numbered 02 through 134
contain a full, true and correct Transcript of the Southcentral
Regional Subsistence Advisory Council, Volume I, meeting taken
electronically by me on the 6th day of February, 1997,
beginning at the hour of 8:00 o'clock a.m. at the Regal Alaskan
Hotel, Anchorage, Alaska;

THAT the transcript is a true and correct transcript
requested to be transcribed and thereafter transcribed by me to
the best of my knowledge and ability;

THAT I am not an employee, attorney, or party
interested in any way in this action.

DATED at Anchorage, Alaska, this nd day of February,
1997.

JOSEPH P. KOLASINSKI
Notary Public in and for Alaska
My Commission Expires: 4/17/00